

**EX. 05**

**Deposition  
Transcript of  
T.D.H.  
(w/o exhibits)**

<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT  2 FOR THE NORTHERN DISTRICT OF ALABAMA  3 MIDDLE DIVISION  4  5 CASE NO.: 4:15-CV-01152-VRU  6  7 MICHELLE LEE HELM,  8 Plaintiff,  9 vs.  10 RAINBOW CITY, ALABAMA, et al.,  11 Defendants.  12  13 DEPOSITION OF TDH  14  15 STIPULATIONS  16  17 IT IS STIPULATED AND AGREED by  18 and between the parties through their  19 respective counsel, that the deposition of  20 TDH may be taken before ELIZABETH LAW  21 LANKFORD, Commissioner, at 140 South Ninth  22 Street, Gadsden, Alabama, on the 7th day of  23 June 2016.</p>	<p style="text-align: right;">Page 3</p> <p>1 FORD, HOWARD &amp; CORNETT, by  2 Mr. H. Edgar Howard, 140 South Ninth Street,  3 Gadsden, Alabama, 35901, appearing on behalf  4 of the Defendants.  5 STUBBS, SILLS &amp; FRYE, by Mr. C.  6 David Stubbs, 1724 South Quinard Avenue,  7 Anniston, Alabama, 36202, appearing on behalf  8 of the Defendants.  9 F&amp;B Law Firm, by Ms. Allison B.  10 Chandler, 213 Greene Street, Huntsville,  11 Alabama, 35801, appearing on behalf of the  12 Defendants.  13  14 INDEX  15  16 EXAMINATION BY: PAGE NUMBER:  17 Mr. Howard 5  18 Mr. Stubbs 140  19 Ms. Chandler 243  20 Mr. Howard 276  21 Mr. Harp 277  22  23</p>
<p style="text-align: right;">Page 2</p> <p>1 IT IS FURTHER STIPULATED  2 AND AGREED that it shall not be necessary for  3 any objections to be made by counsel to any  4 questions except as to form or leading  5 questions, and that counsel for the parties  6 may make objections and assign grounds at the  7 time of the trial, or at the time said  8 deposition is ordered in evidence, or prior  9 thereto.  10 IT IS FURTHER STIPULATED  11 AND AGREED that the notice of filing of the  12 deposition by the Commissioner is waived.  13  14 APPEARANCES  15  16 HARP LAW, LLC, By Mr. H. Gregory  17 Harp, 7124 Crown Lane, Trussville, Alabama,  18 35173, appearing on behalf of the Plaintiff.  19 STONE LAW FIRM, by Mr. Moses O.  20 Stone, 2015 1st Avenue North, Birmingham,  21 Alabama, 35203, appearing on behalf of the  22 Plaintiff.  23</p>	<p style="text-align: right;">Page 4</p> <p>1 DEFENDANT'S EXHIBIT:  2 1 Facebook Post 252  3  4 I, ELIZABETH LAW LANKFORD, a  5 Court Reporter of Southside, Alabama, acting  6 as Commissioner, certify that on this date, as  7 provided by the Federal Rules of Civil  8 Procedure and the foregoing stipulation of  9 counsel, there came before me at the Law  10 Offices of Ford, Howard &amp; Cornett, 140 South  11 Ninth Street, Gadsden, Alabama, beginning at  12 9:15 a.m., TDH, witness in the above cause,  13 for oral examination, whereupon the following  14 proceedings were had:  15  16 TDH,  17 being first duly sworn was examined and  18 testified as follows:  19  20 THE COURT REPORTER: Usual  21 stipulations?  22 MR. HARP: She'll read and sign.  23</p>

Page 5

1 EXAMINATION

2 BY MR. HOWARD:

3 Q. Would you please state your full

4 name?

5 A. TDH.

6 Q. With one L or two?

7 A. Two.

8 Q. TDH, I met you a minute ago. My

9 name is Ed Howard. I represent the City of

10 Rainbow City in this lawsuit.

11 I'm going to be asking you a

12 number of questions, some background about you

13 and also about the events and about things

14 that have happened to you since the events

15 pertaining to this and pertaining to you.

16 If at any time you don't

17 understand my question, will you please let me

18 know that you don't understand the question?

19 A. Yes, sir.

20 Q. Is that fair? I'll tell you

21 what both Mr. Harp and I and the other

22 attorneys want is to be assured that you're

23 answering the question that we think we are

Page 6

1 asking. Fair enough?

2 A. Absolutely.

3 Q. Okay. If you need to take a

4 break at any time, no problem. This is not

5 meant to be an inquisition. This is meant to

6 be for me and these others to extract

7 information from you.

8 Have you ever had your

9 deposition taken before?

10 A. Yes, sir.

11 Q. In what?

12 A. Another situation.

13 Q. Car wreck?

14 A. Yes.

15 Q. It was in this office, wasn't

16 it, or was it? Do you know?

17 A. I'm pretty sure. Yes, sir.

18 Q. Other than your car wreck

19 deposition, have you had one?

20 A. No, sir.

21 Q. What's your date of birth?

22 A. [REDACTED]

23 Q. Where do you live?

Page 7

1 A. [REDACTED]

2 Q. In the City of [REDACTED]?

3 A. Yes, sir.

4 Q. What we call on the mountain?

5 A. Yes, sir.

6 Q. How long have you lived there?

7 A. Maybe a year.

8 Q. Who lives with you at that

9 residence?

10 A. My mom and my two sisters and my

11 sister's child.

12 Q. I know your mom's name. What

13 are your two sisters' names that live there?

14 A. [REDACTED]

15 Q. [REDACTED] is not also a [REDACTED]

16 too, is she?

17 A. No. I was supposed to be the

18 last child.

19 Q. I hear you. What did you say is

20 your younger sister's name?

21 A. [REDACTED]

22 Q. [REDACTED]. How old is she?

23 A. 16.

Page 8

1 Q. And [REDACTED] is how old?

2 A. 19.

3 Q. Which of them has the child?

4 A. [REDACTED]

5 Q. How old is the child?

6 A. He'll be a year [REDACTED]

7 Q. Does that cover everybody who

8 lives at that house?

9 A. Yes, sir.

10 Q. Before living -- is that a house

11 or an apartment?

12 A. It's a house.

13 Q. Before living in that house --

14 well, everything else I guess is going to be

15 -- what's the address? Everything else is

16 going to be redacted here so we might as well

17 find -- or the street, if you don't know --

18 A. [REDACTED]. I'm not sure of

19 the numbers.

20 Q. Is that a -- does your family

21 own that house, or do you rent it?

22 A. I'm not sure.

23 Q. Before living there, where did

Page 9

1 you live?  
 2 A. Well, I was -- I actually lived  
 3 with my sister in Southside, but I was kind of  
 4 back and forth between her and my mom because  
 5 I had to work. So they would take turns.  
 6 Q. So which sister did you live  
 7 with in Southside?  
 8 A. My older sister.  
 9 Q. [REDACTED]?  
 10 A. No. Nicole.  
 11 Q. How old is Nicole?  
 12 A. 30.  
 13 Q. Is she married?  
 14 A. She is engaged.  
 15 Q. Has she been married previously?  
 16 A. I'm not sure.  
 17 Q. Okay. She still lives in  
 18 Southside?  
 19 A. Yes, sir.  
 20 Q. Who is she engaged to?  
 21 A. Her husband.  
 22 Q. She's reengaged to her husband?  
 23 A. No, not the same one. I mean, I

Page 10

1 don't know if she was married before, but his  
 2 name is Nick.  
 3 Q. So she is engaged to Nick?  
 4 A. Yes.  
 5 Q. She has to write these things  
 6 down and uh-huhs and uh-uh --  
 7 A. Yeah. I keep forgetting.  
 8 Q. You have probably been told  
 9 about that.  
 10 Nick is the man to whom she is  
 11 engaged?  
 12 A. Yes, sir.  
 13 Q. But not yet married?  
 14 A. No, sir.  
 15 Q. Even though they act like  
 16 husband -- he acts like a husband? I'm  
 17 assuming, because that's what you just said?  
 18 MR. HARP: Object to the form.  
 19 Q. Is that right?  
 20 A. Yeah. They love each other.  
 21 Q. When you said husband a minute  
 22 ago, what did you mean?  
 23 A. Her husband.

Page 11

1 Q. Who is her husband?  
 2 A. Nick.  
 3 Q. Okay. You don't know Nick's  
 4 last name, do you?  
 5 A. Anderson.  
 6 Q. Before living with your sister  
 7 in Southside where did you live?  
 8 A. With my mom.  
 9 Q. And where was that?  
 10 A. [REDACTED].  
 11 Q. But at a different place?  
 12 A. Yes.  
 13 Q. Do you know Nicole's address?  
 14 A. No.  
 15 Q. Street name? Do you know what  
 16 the street is named?  
 17 A. No, I'm not sure.  
 18 Q. How about the house where your  
 19 mom lived in Southside?  
 20 A. It was called [REDACTED] or  
 21 [REDACTED].  
 22 Q. Okay. About how long did you  
 23 live with your mom in Southside?

Page 12

1 A. Three years, three or four  
 2 years.  
 3 Q. Before that, where did you live?  
 4 A. [REDACTED]. It was a different  
 5 residence.  
 6 Q. Was there some point in time  
 7 when you lived in Rainbow city?  
 8 A. We did stay in Rainbow City but  
 9 not for long, though.  
 10 Q. And was that your mom's  
 11 residence at the time you stayed in Rainbow  
 12 City?  
 13 A. Yes.  
 14 Q. Okay. Was that before or after  
 15 these Southsides with your mom?  
 16 A. That was kind of like in between  
 17 but -- yeah, it wasn't really -- we didn't  
 18 stay there for long.  
 19 Q. Okay. Was that on [REDACTED]  
 20 [REDACTED], or do you remember?  
 21 A. It sounds like it, yes, or [REDACTED]  
 22 [REDACTED]. I'm not sure.  
 23 Q. Were you near the Episcopal

Page 13

1 Church, or was it more like you turn behind  
2 the fitness place that's no longer a fitness  
3 place?  
4 A. Fitness Plus, yeah.  
5 Q. Okay. Anywhere before  
6 Southside? I know we are getting back --  
7 A. (Witness shakes head  
8 negatively.)  
9 Q. So you pretty much grew up,  
10 quote, unquote, in Southside?  
11 A. (Witness nods head  
12 affirmatively.)  
13 Q. Is that right?  
14 A. I lived in Southside.  
15 Q. Where were you born?  
16 A. Gadsden.  
17 Q. And have you gone to the schools  
18 in Gadsden or somewhere?  
19 A. Southside, yes.  
20 Q. Okay. Southside Elementary?  
21 A. Yes.  
22 Q. And Southside High?  
23 A. Yes, sir.

Page 14

1 Q. Is there one between those?  
2 A. Middle school.  
3 Q. John Jones or --  
4 A. Middle school.  
5 Q. Southside Middle?  
6 A. No, Rainbow Middle.  
7 Q. Rainbow Middle. So Southside  
8 Elementary, Rainbow Middle, Southside High  
9 School?  
10 A. Yes, sir.  
11 Q. Okay. Aside from [REDACTED]  
12 [REDACTED] and [REDACTED], do you have any other  
13 sisters?  
14 A. Yes, but they are not full.  
15 Q. Half sisters?  
16 A. Yes.  
17 Q. Do they live in Alabama?  
18 A. Uh-uh (indicating no).  
19 Q. That's a no?  
20 A. That's a no.  
21 Q. And I take it that they are  
22 children of your mom and somebody else?  
23 A. No.

Page 15

1 Q. They are children of your dad  
2 and somebody else?  
3 A. Yes, sir.  
4 Q. I understand your dad died some  
5 time -- a number of years ago, correct?  
6 A. Yes, sir.  
7 Q. How old were you when he died?  
8 A. I was just about to turn three.  
9 Q. What was your dad's name?  
10 A. Daniel Patrick Helm.  
11 Q. Since your dad died, up to the  
12 present day, have you had in your life any  
13 father-figure types?  
14 A. My brother.  
15 Q. Okay. I didn't ask you about  
16 brothers so --  
17 A. Well, that's the only father-  
18 figure I have had.  
19 Q. I understand. That's a good  
20 answer.  
21 MR. HARP: Just answer the  
22 question.  
23 Q. What's your brother's name?

Page 16

1 A. Aaron Helm.  
2 Q. How old is Aaron?  
3 A. He just turned 28, actually.  
4 Q. A-A-R-O-N?  
5 A. Yes, sir.  
6 Q. Where does he live?  
7 A. He lives with my sister.  
8 Q. In Southside?  
9 A. Yes.  
10 Q. Was there some period of time he  
11 lived in Georgia?  
12 A. Years back. He didn't really  
13 live there but --  
14 Q. He stayed there or went there or  
15 something?  
16 A. (Witness nods head  
17 affirmatively.)  
18 Q. Is that a yes?  
19 A. Yes.  
20 Q. Any other brothers?  
21 A. No.  
22 Q. And [REDACTED], [REDACTED], [REDACTED] and  
23 [REDACTED] are your full sisters and brothers?

Page 17	Page 19
<p>1 A. (Witness nods head 2 affirmatively.) 3 Q. Correct? 4 A. Yes. 5 Q. Do you attend school now? 6 A. No. 7 Q. Excuse me. Did you attend 8 school in the 2015-2016 school year? 9 A. I did until this incident. 10 Q. Okay. So this incident happened 11 I think January of 2015? 12 A. January 17th. 13 Q. Okay. Since that time have you 14 attended school? 15 A. No, sir. 16 Q. In January 2015 what grade were 17 you in? 18 A. 11th. 19 Q. At Southside High? 20 A. Yes, sir. 21 Q. What, if any, activities were 22 you involved in at school in either 10th or 23 11th grade?</p>	<p>1 A. Yes. 2 Q. And tenth grade? 3 A. I started in seventh grade, 4 actually, when I was in Rainbow Middle School. 5 You can get on varsity if you're, you know, 6 eligible. 7 Q. Okay. Any other sports? 8 A. Not school sports. 9 Q. School sports. You said you 10 were in Key Club? 11 A. Yes. 12 Q. Any other clubs that you 13 belonged to in school? 14 A. Spanish club. 15 Q. Since January 2015 have you 16 played soccer anywhere outside of the school 17 setting? 18 A. No, sir. 19 Q. Do you work anywhere outside the 20 home? 21 A. Yes, sir. 22 Q. Where do you work? 23 A. Lil' Pruet's in Gadsden.</p>
Page 18	Page 20
<p>1 A. Sports, and I was in Key Club. 2 Q. What kind of sports? 3 A. Soccer. 4 Q. How long have you played soccer? 5 A. Since I was seven years old. 6 Q. In the various leagues and so 7 forth around? 8 A. Yes, sir. 9 Q. And were you on the -- well, did 10 Southside High School have a soccer team? 11 A. Yes, sir. 12 Q. A girls soccer team, and were 13 you on it? 14 A. Yes, sir. 15 Q. How about Rainbow Middle? Did 16 they have a girls soccer team? 17 A. No. 18 Q. Was Rainbow Middle seventh, 19 eighth and ninth grades? 20 A. No. It's sixth, seventh and 21 eighth. 22 Q. Sixth, seventh and eighth. So 23 you played soccer in ninth grade at Southside?</p>	<p>1 Q. The drive-thru? 2 A. Yes, sir. 3 Q. How much do you work there? 4 A. As much as I can. I just 5 started working there, but I get -- I'd say 6 it's at least 30 hours a week. 7 Q. Okay. When you say you just 8 started working there, when? 9 A. Maybe a month ago. 10 Q. Okay. Before working at Lil' 11 Pruet's did you work any outside the home? 12 A. I worked at Sonic in 13 Albertville. 14 Q. For how long a time period? 15 A. Maybe a month because I didn't 16 live up there for long. 17 Q. What had led you to begin living 18 in Albertville? 19 A. Me and one of my friends had got 20 -- we was going to room together and try to 21 get a place together, but it just didn't work 22 out. 23 Q. And your friend was from</p>

<p style="text-align: right;">Page 21</p> <p>1 Albertville?</p> <p>2 A. Yes.</p> <p>3 Q. Is that a female friend or a</p> <p>4 male friend?</p> <p>5 A. Female.</p> <p>6 Q. Before working at the Sonic in</p> <p>7 Albertville, did you work anywhere outside the</p> <p>8 home?</p> <p>9 A. Jack's.</p> <p>10 Q. Which one?</p> <p>11 A. Alabama City.</p> <p>12 Q. For how long a time did you work</p> <p>13 at Jack's in Alabama City?</p> <p>14 A. Four months -- four or five</p> <p>15 months. Yeah, five, five months.</p> <p>16 Q. Okay. Gradually, I'm working</p> <p>17 back to at least January 2015. So before</p> <p>18 Jack's did you work anywhere?</p> <p>19 A. No, sir.</p> <p>20 Q. So Jack's in Alabama City was</p> <p>21 your first entry into the working world?</p> <p>22 A. Yes, sir.</p> <p>23 Q. At the time of the incident that</p>	<p style="text-align: right;">Page 23</p> <p>1 wreck we mentioned a minute ago?</p> <p>2 MR. HARP: Object to the form.</p> <p>3 She didn't have a car wreck.</p> <p>4 MR. HOWARD: Okay.</p> <p>5 Q. What was the subject of your</p> <p>6 deposition that you told me about?</p> <p>7 A. I got hit.</p> <p>8 Q. That's right. You were a</p> <p>9 pedestrian?</p> <p>10 A. Walking.</p> <p>11 Q. Correct?</p> <p>12 A. Yes.</p> <p>13 Q. You were struck by a car?</p> <p>14 A. Yes, sir.</p> <p>15 Q. When were you struck by a car?</p> <p>16 A. November of 2012.</p> <p>17 Q. Let's see. Right now you are 18</p> <p>18 going on 19?</p> <p>19 A. Yes.</p> <p>20 Q. So you were right at 15 or so</p> <p>21 when you had this -- when you were struck by a</p> <p>22 car?</p> <p>23 A. I had just turned 15.</p>
<p style="text-align: right;">Page 22</p> <p>1 this lawsuit is about in January 2015, were</p> <p>2 you living in -- let's see. Were you living</p> <p>3 in Southside with your sister?</p> <p>4 A. No. I was living on [REDACTED]</p> <p>5 [REDACTED].</p> <p>6 Q. Okay. Since the incident in</p> <p>7 January 2015, besides working outside the</p> <p>8 home, have you carried on any other kind of</p> <p>9 regular activities outside the home, hobbies,</p> <p>10 interests, church, work, anything, even though</p> <p>11 you might not have gotten paid for it?</p> <p>12 A. I went to church -- I tried to</p> <p>13 go to church a couple of times, but I didn't</p> <p>14 -- I never --</p> <p>15 Q. Right. That's probably a poor</p> <p>16 example.</p> <p>17 A. Yeah.</p> <p>18 Q. Any other things that you</p> <p>19 regularly participated in, activities, sports,</p> <p>20 service -- I don't know -- anything that took</p> <p>21 you outside the home?</p> <p>22 A. No.</p> <p>23 Q. Okay. When did you have the car</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. You had just turned 15. Okay.</p> <p>2 Where did that happen?</p> <p>3 A. In Southside.</p> <p>4 Q. Where particularly?</p> <p>5 A. Lasseter Road.</p> <p>6 Q. Lasseter Road? How was it that</p> <p>7 you were a pedestrian on Lasseter Road when</p> <p>8 you were struck?</p> <p>9 A. I was walking home from a</p> <p>10 friend's house with two other people.</p> <p>11 Q. And what happened?</p> <p>12 A. We was walking. We was -- I</p> <p>13 heard the car coming. The two girls were a</p> <p>14 lot smaller than me. And they was on the left</p> <p>15 side. I was on this side of the road. I</p> <p>16 heard it coming. I told them to get out of</p> <p>17 the road. I heard it coming. I heard the car</p> <p>18 coming. The next thing you know it was</p> <p>19 just --</p> <p>20 Q. So y'all -- the three of you</p> <p>21 were walking on the right side of the road?</p> <p>22 A. In the grass. I was, yeah.</p> <p>23 Q. I mean, the car that struck you</p> <p>was from behind?</p>

Page 25

1 A. Yes.

2 Q. And you were the furthest

3 outside into the lane, I guess is --

4 A. No. At first they was closer

5 than I was. I was on the side. Then I had

6 them move over here (indicating).

7 Q. And after they moved over there,

8 it was still too close and you got hit by a

9 car?

10 A. What was too close?

11 Q. The distance between you and the

12 car?

13 MR. HARP: Object.

14 A. Well, yeah, obviously, she hit

15 me.

16 Q. That's what I'm saying,

17 obviously, she hit you.

18 A. Yeah.

19 Q. Did the other two get struck?

20 A. No.

21 Q. What happened to you injury-wise

22 after that?

23 A. I had torn ligaments, and I had

Page 26

1 just bruises on the left side of my body.

2 Mostly my ankle.

3 Q. I'm assuming, but I may be

4 wrong, were you struck by the front of her

5 car?

6 A. Yes.

7 Q. So bruises to where?

8 A. The left side of my body.

9 Pretty much from my head to my ankle, the

10 lower part.

11 Q. Sure. Had you ever actually

12 turned and saw it, or did you just know it

13 because you could hear it?

14 A. Well, I had -- did a couple

15 takes back just because, I mean, she was

16 coming fast.

17 Q. Right.

18 A. I just had to keep turning

19 around, looking just to make sure. But I

20 didn't -- the last time I turned around she

21 was like right there.

22 Q. Right, sure.

23 A. Yeah.

Page 27

1 Q. Did it break any bones that you

2 know of?

3 A. (Witness shakes head

4 negatively.)

5 Q. You said you tore some

6 ligaments?

7 A. (Witness nods head

8 affirmatively.)

9 Q. In what part of your body?

10 A. Mostly -- actually, my shoulder,

11 but my ankle was very swollen. He told me

12 that he had prescribed me rehab, physical

13 therapy, and I went to physical therapy. And

14 it got better after that.

15 Q. Okay. Good. Were there any

16 other injuries to you that were caused by the

17 accident in your opinion or your experience?

18 MR. HARP: Object to the form.

19 Q. Or that came after the injury?

20 A. I had a concussion.

21 Q. I assume you got taken to the

22 hospital?

23 A. Yes.

Page 28

1 Q. By ambulance?

2 A. No.

3 Q. Who took you?

4 A. My mom.

5 Q. That's right. You said you were

6 close to home.

7 Okay. Did you stay overnight in

8 the hospital?

9 A. No.

10 Q. There's mention made, as I'm

11 sure you know, in the pleadings and so forth

12 in this case that at some point you began

13 having seizures, correct?

14 A. Yes.

15 Q. And is that true?

16 A. Yes.

17 Q. Okay. Was that after this

18 accident?

19 A. The car accident?

20 Q. Yes.

21 A. Yes.

22 Q. And had they happened before the

23 car accident?

Page 29

1 A. No.

2 Q. Okay. And how long after the

3 accident did those start?

4 A. A year.

5 Q. Between that pedestrian accident

6 and the time you started having the seizures,

7 did anything else traumatic happen to your

8 body?

9 A. No.

10 Q. Now, I'm not real familiar with

11 your car wreck -- with your pedestrian wreck

12 case, but -- well, let me ask you: Has that

13 case resolved? It is over?

14 A. I'm not sure. I mean, my mom

15 handled it.

16 Q. You haven't gone to court,

17 correct?

18 A. My mom handles all of that.

19 Q. You had a deposition here,

20 right?

21 A. Uh-huh (indicating yes).

22 Q. And you haven't actually

23 physically been to the courtroom about that

Page 30

1 case yet?

2 A. You will have to ask my mom.

3 She handles all that.

4 Q. I know. Have you physically

5 gone over to that courthouse?

6 A. Yes.

7 Q. Did you get -- in your

8 pedestrian wreck case?

9 A. Yes.

10 Q. Okay. Have you been to the

11 courthouse for any other reason?

12 A. No.

13 Q. That's what I'm asking you. I

14 mean, you went over there. Did you give

15 testimony up on a witness stand sort of like

16 you are doing today except more formal?

17 A. No.

18 Q. At present you're not sure if

19 it's over or not?

20 A. I don't -- I don't really worry

21 about it.

22 Q. I understand.

23 MR. HARP: Just answer his

Page 31

1 question. His question was whether or not

2 it's over.

3 Q. Are you aware of whether it's

4 over or not?

5 A. I think it is.

6 Q. Are you aware of what the

7 outcome of the lawsuit was?

8 A. Yes.

9 Q. What was the outcome?

10 MR. HARP: Wait. Be careful

11 here.

12 MR. HOWARD: Greg, I'm really

13 not trying to be tricky. I just want to know.

14 I will ask momma.

15 THE WITNESS: Yeah, I would

16 be --

17 MR. HARP: Yeah, or look it up

18 on Alacourt.

19 THE WITNESS: Because I just

20 don't know. She would know more about it than

21 I would.

22 Q. (By Mr. Howard) I understand.

23 In any event, from your perspective, it

Page 32

1 appears to be over; is that safe enough?

2 A. (Witness nods head

3 affirmatively.)

4 Q. Is that a yes?

5 A. Yes.

6 Q. Okay.

7 MR. HARP: Can we go off the

8 record for a second?

9 (Whereupon, a discussion was

10 held off the record.)

11 Q. (By Mr. Howard) You said

12 generally about a year after your pedestrian

13 accident you had your first seizure, correct?

14 A. Yes.

15 Q. Do you remember the

16 circumstances? Were you at home, where were

17 you and so forth?

18 A. I don't remember.

19 Q. Did you wind up going to see a

20 medical person about your seizures?

21 A. Yes.

22 Q. Who was that?

23 A. Dr. Russell?

Page 33

1 Q. Here in Gadsden?

2 A. No. He's in Birmingham.

3 Q. Do you remember whether you went

4 after the first one, or did it take a couple

5 for y'all to realize I need to go get some --

6 you know, get somebody to look at this?

7 A. Yes.

8 Q. The second --

9 MR. HARP: Yes to which one?

10 Q. A couple of them happened and

11 then you went to the doctor?

12 A. Yeah. I don't know exactly

13 after which one it was. When it started

14 getting really serious.

15 Q. Right. Have you continued to

16 see Dr. Russell about your seizures since

17 then?

18 A. No.

19 Q. Did he prescribe medicine?

20 A. Yes.

21 Q. And do you still take it?

22 A. No.

23 Q. What did he prescribe, if you

Page 34

1 recall?

2 A. I want to say Topamax.

3 Q. Topamax?

4 A. Topamax.

5 Q. And any others, even if you

6 don't remember the names, or was there just

7 one pill or --

8 MR. HARP: Object to the form.

9 Q. -- or one something?

10 A. I don't know.

11 Q. That's fine. Did that seem to

12 help?

13 A. No. I didn't like it.

14 Q. How come?

15 A. It made me feel like a zombie.

16 It mellowed me out.

17 Q. Was that medicine something you

18 were to take every day, or was it one where if

19 you started feeling funny you took it then?

20 MR. HARP: Object to the form.

21 A. I'm not really sure.

22 Q. About how long, if you remember,

23 did you continue to take the Topamax before

Page 35

1 you said to yourself, you know, I don't want

2 to take this anymore or whatever?

3 MR. HARP: Object to the form.

4 Q. Before you stopped taking it?

5 MR. HARP: Object to the form.

6 A. A couple of months.

7 Q. Okay. After that -- after that

8 period of time, at the end of which you

9 stopped taking that medicine, did you go back

10 to Dr. Russell?

11 A. Yes.

12 Q. Did Dr. Russell ever explain to

13 you what had happened to cause your seizures?

14 A. He had kind of but not really.

15 We talked about it.

16 Q. Do you remember whether he said

17 it had something to do with your getting hit

18 by a car?

19 A. Yes.

20 Q. Did he give you any different

21 medicine after you stopped taking the Topamax?

22 A. I don't think so.

23 Q. Okay.

Page 36

1 A. No, sir.

2 Q. Did he give you any further

3 instructions that you recall about how to deal

4 with your seizures?

5 MR. HARP: Object to the form.

6 A. No.

7 Q. Okay. We have sort of placed

8 the beginning of your seizures at, give or

9 take a month or two, a year after your

10 accident, correct?

11 A. Yes.

12 Q. That would take us into the late

13 part of 2013. So I guess I'm moving up toward

14 2015.

15 Were you -- at the time of the

16 incident that this lawsuit is about, were you

17 still going to see Dr. Russell?

18 A. Yes.

19 Q. Okay. Did you see him after

20 this incident?

21 A. Yes.

22 Q. Did Dr. Russell say anything to

23 you about the seizures on the night of this

Page 37

1 incident?

2 MR. HARP: Object to the form.

3 Do you understand the question?

4 THE WITNESS: Uh-uh (indicating

5 no).

6 Q. In other words, you said you

7 went back to see him after this accident,

8 correct?

9 A. Yes.

10 Q. Did you go back to see him after

11 this incident?

12 A. Yes.

13 Q. Was that a regularly-scheduled

14 visit, or was it brought on by this incident?

15 MR. HARP: Object to the form.

16 A. It was a three-month -- like

17 every three months. He's my neurologist.

18 Q. Sure. And generally you would

19 go see him every three months?

20 A. Yes. I mean --

21 Q. Give or take?

22 A. Yeah.

23 Q. And you were still continuing to

Page 38

1 go see him about every three months at the

2 time of this incident?

3 A. Yes.

4 Q. Okay. And you definitely saw

5 him once after this incident?

6 MR. HARP: Object to the form.

7 Q. Correct?

8 A. He actually had moved out of his

9 office, and his other partner -- it was both

10 of their offices. I now see him.

11 Q. Who was that?

12 A. Strawn.

13 Q. Strawn?

14 A. I'm not sure if it's Strawn or

15 Strong.

16 Q. Okay. Did you describe to

17 either one of these doctors what had happened

18 to you on the night at the concert?

19 A. Yes.

20 Q. Did they give you any

21 explanations or comments about the seizure

22 that happened on the night of this incident?

23 A. Yes.

Page 39

1 Q. What did they say?

2 A. Well, I was originally

3 prescribed with grand mal seizures. We were

4 just confused because they are two different

5 seizures. There were two different things

6 going on that night. He was saying there's

7 another type called pseudo seizures which are

8 brought on by stress.

9 Q. Right.

10 A. And if I was already having the

11 grand mal seizure, that's what the other

12 ones -- that's what I was confused on because

13 I knew I wasn't just having that back to back

14 because the grand mal seizures and the pseudo

15 seizures are two different things.

16 Q. Okay.

17 A. He was just explaining to me

18 that it was two different things.

19 Q. So what I'm hearing is he was

20 offering that as an explanation for at least

21 some of what had happened to you that night

22 with the seizures?

23 A. It's just I was in and out. I

Page 40

1 was asking why was it -- why I was -- why all

2 of that was going on. He was like, well -- he

3 was explaining to me why I had -- just like

4 the medical way of how, saying things.

5 Q. Okay. Working back from the

6 time -- from the night of the incident, do you

7 remember when before -- the last time before

8 this incident happened that you had had a

9 seizure?

10 A. Do I remember when?

11 Q. Yeah.

12 A. Yes.

13 Q. When was that?

14 A. A month before this incident.

15 Q. Were you at school?

16 A. No.

17 Q. Do you remember if it was during

18 the Christmas holidays?

19 A. Christmas?

20 Q. Yeah. A month before this

21 incident would have put it in December?

22 A. Maybe fall, like late November.

23 Q. Okay. Sometimes people remember

Page 41

1 things associated with other things.  
 2 A. Yeah.  
 3 Q. Like it was Thanksgiving and I  
 4 had a seizure.  
 5 A. Right.  
 6 Q. But in any event, you do recall  
 7 having one previous?  
 8 A. Yes.  
 9 Q. Before the night of this  
 10 incident in January 2015, had you ever had  
 11 what you were later -- what was later  
 12 suggested to you was a pseudo --  
 13 A. No.  
 14 Q. Rather than grand -- you had  
 15 just had the grand mals?  
 16 A. Yes.  
 17 Q. To your knowledge anyway?  
 18 A. (Witness nods head  
 19 affirmatively.)  
 20 Q. Correct?  
 21 A. Yes.  
 22 Q. Up to that point, before January  
 23 2015, had you learned anything about

Page 42

1 situations or -- that might bring on a grand  
 2 mal?  
 3 A. Like my triggers?  
 4 Q. Yeah.  
 5 A. Yeah. I learned throughout it,  
 6 yeah.  
 7 Q. I mean, I'm sure you learned  
 8 throughout it, just like you do anything?  
 9 A. Yeah.  
 10 Q. What did you learn over a period  
 11 of time might be triggers for you?  
 12 A. It's a lot about self control  
 13 and keeping myself calm and just certain  
 14 things like will help me, like music.  
 15 Q. Right.  
 16 A. Stuff like that. So just -- I  
 17 -- the stuff that I needed to stay away from,  
 18 it just kind of just highlighted it so.  
 19 Q. So in other words, what I'm  
 20 hearing from you is: There wasn't any  
 21 particular thing like if it's really hot you  
 22 might have a grand mal versus not?  
 23 A. No, I have never had one like

Page 43

1 that.  
 2 Q. Any other, to your knowledge,  
 3 physical either activity or exertion by you  
 4 that you have ever noticed whether you thought  
 5 that was connected to your seizures or not?  
 6 MR. HARP: Object to the form.  
 7 A. I'm not sure of the question.  
 8 Q. Okay. I don't know why --  
 9 I have no idea of this.  
 10 Let's just say if you went out  
 11 and ran around a lot, playing soccer or  
 12 something --  
 13 A. I know what you're saying.  
 14 Q. Had you ever found that to be a  
 15 trigger?  
 16 A. No.  
 17 Q. So I guess what I'm hearing is  
 18 for you the triggers had to do with you either  
 19 being calm or not staying calm?  
 20 MR. HARP: Object to the form.  
 21 I don't think that was the --  
 22 Q. That's fine. You tell me what  
 23 it is.

Page 44

1 MR. HOWARD: She can answer the  
 2 question. She said a minute ago -- she said I  
 3 have to remain calm.  
 4 MR. HARP: She referred to that  
 5 as a trigger. You said I guess what I'm  
 6 hearing from you is that the triggers are  
 7 being calm.  
 8 MR. HOWARD: Your triggers are  
 9 not being calm.  
 10 MR. HARP: Well, you said being  
 11 calm. That's why I object. So let's ask that  
 12 question again.  
 13 Q. (By Mr. Howard) Other than  
 14 whether you're calm or not, do you know any  
 15 other --  
 16 MR. HARP: Wait.  
 17 Q. Other than whether you are being  
 18 -- you tell me what the word is that is not  
 19 calm. Excited, upset?  
 20 MR. HARP: Object to the form.  
 21 Q. You can answer.  
 22 MR. HARP: If you understand.  
 23 A. Yeah. I just don't want to

Page 45

1 answer it and it be --

2 Q. What things did you consider to

3 be a trigger?

4 A. Stress is like a word for it.

5 But like I said, there's levels to it, like

6 peer pressure, if I'm like -- I don't know --

7 it's very -- it's very --

8 Q. Stress meaning not physical

9 stress like exerting your body?

10 A. No, no, never before the

11 incident.

12 Q. Had you ever experienced

13 stresses within your family that you believe

14 triggered a seizure?

15 A. No.

16 Q. Like arguing with your mother?

17 MR. HARP: Object to the form.

18 A. Yeah.

19 Q. Or sister?

20 MR. HARP: Object to the form.

21 A. Yeah. That's life.

22 Q. Can you give me some times --

23 some occasions when you were later able to

Page 46

1 look back and see what it was specifically

2 that caused you a seizure?

3 MR. HARP: Object to the form.

4 A. One -- oh, my god -- I think is

5 when my sister got pregnant and me and her --

6 we was just going through a lot, and I felt --

7 it was just -- it was just a lot. It was just

8 a lot I was just going through.

9 Q. And one happened during this

10 period?

11 A. Yes.

12 Q. And I know you are not a

13 physician or anything, but looking back on it

14 you believed there was a connection?

15 MR. HARP: Object to the form.

16 A. Connection between what?

17 Q. Between your seizure and the

18 ongoing problem with your sister.

19 MR. HARP: Object to the form.

20 A. It wasn't a problem. It was

21 just -- kind of just like -- I don't know. I

22 guess it's just -- what's meant to be

23 understood, you know. That's a different

Page 47

1 level of it. That's all.

2 Q. The reason I was following you

3 up is because I just asked about specific

4 things that you believed triggered a grand mal

5 seizure, correct?

6 A. (Witness nods head

7 affirmatively.)

8 Q. Are we on the same page?

9 A. Yes.

10 Q. And what I'm hearing from you --

11 and you tell me if I'm not hearing it right --

12 is that there was one occasion when you had a

13 grand mal seizure and you believe that it was

14 brought on from interactions with your sister?

15 MR. HARP: Object to the form.

16 A. There was no interaction, but I

17 -- the grand mal seizures, they are not

18 just -- it's a chemical imbalance in the

19 brain.

20 Q. Sure.

21 A. So when stuff like that is going

22 on, it's like all at once. I don't know --

23 it's just like I have a -- I don't know -- I

Page 48

1 have to take more time to think on stuff, you

2 know. Like, stuff doesn't -- I mean, it's

3 just -- plus I'm just -- I mean, it's just

4 crazy.

5 Q. I understand.

6 A. It's a lot.

7 Q. Again --

8 A. But that was not brought on by

9 the situation with that, but it was just

10 that --

11 MR. HARP: Let's just wait for a

12 question, okay?

13 Q. What did your sister -- as I

14 recall, you said my sister became pregnant and

15 there was a lot going on, I think is what you

16 said. And so I guess what I'm -- and you have

17 seemed to indicate that those two events went

18 together, your grand mal seizure and your

19 sister -- the period of time you were having

20 difficulty with your sister, which was around

21 when she was pregnant.

22 MR. HARP: Wait. That's not a

23 question. Let's wait for a question. That's

Page 49

1 a statement.

2 Q. Is that correct?

3 A. What? The things going on with

4 my sister, I was not stressed out about that.

5 That's my sister. She's like my partner, so

6 whatever she feels I feel.

7 Q. Then what were you stressed out

8 about?

9 A. You know what I'm saying? It

10 was just a lot of personal stuff, but it's --

11 it just had to do with a lot of -- I'm not

12 real sure how to explain it. But, uh-huh

13 (indicating yes).

14 Q. Are there any other specific

15 occasions when something particular was going

16 on with you and there was a grand mal seizure

17 that followed that such that you have -- that

18 you sort of connect them in your mind?

19 MR. HARP: Object to the form.

20 Q. You can answer.

21 A. I have no answer.

22 Q. Is your answer, then, you don't

23 know or you don't recall?

Page 50

1 A. I don't recall.

2 Q. That sister that was pregnant

3 was obviously [REDACTED]?

4 A. Yes.

5 Q. Okay. Does [REDACTED] have any

6 children?

7 A. Two.

8 Q. Do they live with her?

9 A. Yes.

10 Q. Does [REDACTED] have any children?

11 A. Two.

12 Q. Do they live with him?

13 A. Yes.

14 Q. So those two and Nick and four

15 kids live with your sister?

16 A. Yeah. They have a big house in

17 Southside.

18 Q. From what you recollect, in your

19 experience with your grand mal seizures, what

20 do you experience?

21 A. I'm actually not conscious. I

22 black out. I feel like I'm suffocating. And

23 then I just -- lights out.

Page 51

1 Q. Lights out; is that what you

2 said?

3 A. Yeah, sure, just like

4 (indicating).

5 Q. How much warning do you have

6 when one of these happen?

7 A. Not much.

8 Q. Not much?

9 A. Not much.

10 Q. Is it enough to sit down, keep

11 you from falling down?

12 A. Yeah -- well, no.

13 Q. Not necessarily?

14 A. No.

15 Q. Have you ever fallen on the

16 floor?

17 A. Uh-huh (indicating yes).

18 Q. As a result of going into a

19 seizure?

20 A. Yes. I have actually hit my

21 head on the dresser falling.

22 Q. So what I'm hearing is you may

23 or may not have enough time to even sit

Page 52

1 yourself down before one of these takes

2 effect?

3 A. Yeah, when it's coming, it's

4 coming.

5 Q. And then I guess at some point

6 you come to?

7 A. (Witness nods head

8 affirmatively.)

9 Q. Wake up. I know you're not

10 asleep, but you sort of wake up?

11 A. Yes.

12 Q. And wherever you are is just

13 wherever you are, correct?

14 A. Yes.

15 Q. You don't -- you don't find

16 yourself having moved around?

17 A. Well, I mean, I'm not in the

18 same exact place every time.

19 Q. Right.

20 A. But I'm sat up and --

21 Q. You are not moving to different

22 rooms and that sort of thing, are you?

23 A. No.

<p style="text-align: right;">Page 53</p> <p>1 Q. During your seizure?</p> <p>2 A. No.</p> <p>3 Q. In other words, it's not like</p> <p>4 sleepwalking?</p> <p>5 A. No, no.</p> <p>6 Q. You said a minute ago I may be</p> <p>7 sitting up -- is that what you said?</p> <p>8 A. Well, I'm surrounded by people,</p> <p>9 like -- I'm just lucky to be able to say that.</p> <p>10 They usually sit me up, and I'm like still</p> <p>11 laying on them with spit up everywhere.</p> <p>12 Q. But that's because these other</p> <p>13 people helped you, right?</p> <p>14 A. Yes.</p> <p>15 Q. As far as you know, if these</p> <p>16 other people weren't around, you would just</p> <p>17 wake up wherever you last were on the floor?</p> <p>18 MR. HARP: Object to the form.</p> <p>19 A. I mean, I guess.</p> <p>20 Q. That's what I'm asking. To your</p> <p>21 knowledge --</p> <p>22 MR. HARP: I don't want you to</p> <p>23 guess. If you know --</p>	<p style="text-align: right;">Page 55</p> <p>1 out of a really deep dream sleep?</p> <p>2 A. Yes.</p> <p>3 Q. That's kind of what --</p> <p>4 A. Yeah.</p> <p>5 Q. And you sort of don't know</p> <p>6 whether I'm really awake or not?</p> <p>7 A. Yeah. That's what I'm saying.</p> <p>8 It's like a game.</p> <p>9 Q. Like a video game; is that what</p> <p>10 you mean?</p> <p>11 A. Yeah.</p> <p>12 Q. When you say game, I'm assuming</p> <p>13 you mean video game?</p> <p>14 A. Yeah, right.</p> <p>15 Q. From your experiences, is there</p> <p>16 a customary amount of time that you're</p> <p>17 unconscious or however you want to say it,</p> <p>18 you're out?</p> <p>19 A. Are you asking me to guess like</p> <p>20 how long?</p> <p>21 Q. Yeah. Have you come to figure</p> <p>22 out over time, you know, yes, it seems like</p> <p>23 I'm out for --</p>
<p style="text-align: right;">Page 54</p> <p>1 A. Then, yes, obviously.</p> <p>2 Q. I know it's obvious. I just</p> <p>3 like to ask.</p> <p>4 MR. HARP: Object to the form.</p> <p>5 Q. When you wake up, for lack of a</p> <p>6 better word, from these things, do you know</p> <p>7 where you are?</p> <p>8 A. No.</p> <p>9 Q. I mean, I guess until you look</p> <p>10 around and realize, okay, I'm at home or</p> <p>11 something or --</p> <p>12 MR. HARP: Object to the form.</p> <p>13 Q. Or you tell me.</p> <p>14 A. It's kind of like I'm half</p> <p>15 asleep. It's kind of like I'm in a game.</p> <p>16 Q. Uh-huh (indicating yes).</p> <p>17 A. I can't force myself to start</p> <p>18 noticing everything. I've just got to sit</p> <p>19 down. It just takes about ten minutes or</p> <p>20 so -- probably not ten minutes, but it takes</p> <p>21 me a good minute to notice and start being</p> <p>22 aware of my whereabouts and stuff like that.</p> <p>23 Q. Is it similar at all to coming</p>	<p style="text-align: right;">Page 56</p> <p>1 A. Like the routine of it?</p> <p>2 Q. Yeah, yeah.</p> <p>3 A. No. They are all actually very</p> <p>4 different.</p> <p>5 Q. Okay. Do you -- if you know, do</p> <p>6 you know how long the longest time period has</p> <p>7 been where you were out?</p> <p>8 A. In a catatonic state, two hours.</p> <p>9 Q. Have you ever had one of these</p> <p>10 when nobody was around?</p> <p>11 A. No. My last one, actually. I</p> <p>12 got found but --</p> <p>13 Q. But you didn't know somebody was</p> <p>14 around?</p> <p>15 A. Yeah, yeah. I was walking.</p> <p>16 Next thing, I'm waking up.</p> <p>17 Q. TDH, do you even have time</p> <p>18 before one of these things hits, typically, to</p> <p>19 process the thought that nobody is around?</p> <p>20 MR. HARP: Object to the form.</p> <p>21 A. It happens -- the way it</p> <p>22 happens, I barely -- I barely even -- the</p> <p>23 thought goes that I'm having -- like it's</p>

<p style="text-align: right;">Page 57</p> <p>1 about to happen.</p> <p>2 Q. That's about all the time you've</p> <p>3 got?</p> <p>4 A. Yeah.</p> <p>5 Q. Okay. Other than hit -- you</p> <p>6 said a minute ago that one time you hit your</p> <p>7 head on the mantle or on something? What did</p> <p>8 you say?</p> <p>9 A. I like fell on a dresser.</p> <p>10 Q. On a dresser?</p> <p>11 A. Yeah.</p> <p>12 Q. And you conked your head?</p> <p>13 A. I kind of just fell on it. I</p> <p>14 didn't get a bruise or bump or nothing. And I</p> <p>15 fell into it, and I did hit my head but it</p> <p>16 wasn't -- I didn't have no marks or nothing.</p> <p>17 Q. The fall itself didn't knock you</p> <p>18 out again?</p> <p>19 A. Like what do you mean?</p> <p>20 Q. Like you came out of your --</p> <p>21 MR. HARP: Wait for the</p> <p>22 question, okay?</p> <p>23 Q. How do you know that had</p>	<p style="text-align: right;">Page 59</p> <p>1 ground making weird noises. That's pretty</p> <p>2 much it. Eyes rolling.</p> <p>3 Q. Have they told you whether</p> <p>4 you're in a particular body position, like</p> <p>5 usually on your back or stomach or side --</p> <p>6 A. My legs are cringed up -- my</p> <p>7 legs are stiff. It's not in the same position</p> <p>8 every time.</p> <p>9 Q. Could be on your back, could be</p> <p>10 on your side, on your belly as far as you know</p> <p>11 from these people telling you, correct?</p> <p>12 A. Yes.</p> <p>13 Q. As far as you know, from either</p> <p>14 your own experience or people telling you, do</p> <p>15 you have any -- does this result in any</p> <p>16 stomach problems? Do you vomit or --</p> <p>17 A. While I'm having it?</p> <p>18 Q. Yeah.</p> <p>19 A. Yeah, I spit up, yeah.</p> <p>20 Q. How about afterward, when you</p> <p>21 come out of it?</p> <p>22 A. I feel sick, but I don't throw</p> <p>23 up.</p>
<p style="text-align: right;">Page 58</p> <p>1 happened to you?</p> <p>2 A. It happened at my niece's.</p> <p>3 Q. Okay. They told you?</p> <p>4 A. Yeah.</p> <p>5 Q. But other than them telling you,</p> <p>6 you wouldn't have known?</p> <p>7 A. No.</p> <p>8 Q. Are there any other occasions</p> <p>9 when you've had something like that happen</p> <p>10 besides falling into the desk?</p> <p>11 A. (Witness shakes head</p> <p>12 negatively.)</p> <p>13 Q. Where they said, hey, TDH --</p> <p>14 A. No.</p> <p>15 Q. -- you did something to yourself</p> <p>16 during your blackout?</p> <p>17 A. They would just tell me what</p> <p>18 would go on but --</p> <p>19 Q. What have they told you goes on</p> <p>20 when you're blacked out?</p> <p>21 A. My body would stiff up, and I</p> <p>22 will growl and spit. I will bite my tongue.</p> <p>23 I have bit my lip. I will bang my head on the</p>	<p style="text-align: right;">Page 60</p> <p>1 Q. Kind of feel nauseous? Is that</p> <p>2 what you mean?</p> <p>3 A. Just my body is just exhausted</p> <p>4 period.</p> <p>5 Q. Do you ever have any</p> <p>6 recollection of your friends talking to you</p> <p>7 while you're blacked out?</p> <p>8 A. No.</p> <p>9 Q. Has your mom seen you blacked</p> <p>10 out?</p> <p>11 A. Yes.</p> <p>12 Q. Have your sisters?</p> <p>13 A. Yes.</p> <p>14 Q. And no one has ever told you</p> <p>15 that -- or has anyone ever told you that you</p> <p>16 seemed to carry on a conversation with them</p> <p>17 while you are blacked out?</p> <p>18 A. No.</p> <p>19 Q. I'm sort of liking it to</p> <p>20 sometimes I have been told that when I'm</p> <p>21 asleep somebody says something to me and I</p> <p>22 apparently have a conversation with them that</p> <p>23 I have no clue and I wind up saying something</p>

<p style="text-align: right;">Page 61</p> <p>1 like the milk is in the cupboard or just 2 something totally off the wall. 3 A. Sure. 4 Q. But you haven't been told that, 5 correct? You haven't been told that kind 6 of -- 7 A. That's sleeping. That's 8 different. 9 Q. Just totally different? 10 A. Yes. 11 MR. HARP: Give me a chance to 12 make my objection. I'm sorry I keep 13 interrupting. I'm having to make them so -- 14 THE WITNESS: Okay. 15 Q. To your knowledge do you get 16 particularly either cold or hot during one of 17 your seizures? 18 A. I sweat. 19 Q. You sweat? I was going to say 20 you probably sweat. 21 A. It's like a cold sweat though. 22 Q. And then what does your body 23 feel like when you -- when the twilight is</p>	<p style="text-align: right;">Page 63</p> <p>1 A. Yes. Head to -- I have a huge 2 headache. It's just like I need to lay, rest. 3 Q. Do you know whether that 4 headache stems from physically hitting your 5 head, like you said you do sometimes, or if 6 it's just something that happens even if you 7 have the cushiest pillow you would still have 8 the headache? Do you understand what I'm 9 asking? 10 MR. HARP: Object to the form. 11 A. Yes. 12 MR. HARP: Yes, you understand 13 what he's asking, or yes to his question? 14 THE WITNESS: Yes, I understand 15 his question. 16 A. Yes. 17 Q. Okay. And the reason I'm asking 18 is: It's not real -- it doesn't take a rocket 19 scientist to figure out if you hit your head 20 back on the concrete or back on something hard 21 a whole lot, you're probably going to have a 22 headache? 23 A. Right.</p>
<p style="text-align: right;">Page 62</p> <p>1 finally over and you realize where you are and 2 who you are and so forth? How does your body 3 feel? 4 MR. HARP: Object to the form. 5 A. It's different, every one of 6 them. But I'm exhausted. Like my body is 7 just done. Like it doesn't want to do 8 anything else. Like a marathon, I had just 9 worked out. 10 Q. Do you -- from your experience, 11 does it feel like that regardless of the time 12 period that you're out? 13 A. Yes. 14 Q. So what I'm hearing is if you're 15 out -- from your experience, if you were out 16 for an hour or if you were out 10 minutes, 17 your body feels about the same? 18 A. Yes. 19 Q. When you say exhausted, I'm 20 taking that to mean like physical muscular 21 exhaustion. 22 MR. HARP: Object to the form. 23 Q. Is that correct?</p>	<p style="text-align: right;">Page 64</p> <p>1 Q. But what I'm hearing is even if 2 you don't -- 3 A. Yeah. It's more of like a 4 migraine. 5 Q. That's exactly what I was going 6 to ask you. 7 A. It's very deep. I have 8 people around so they don't let me bang my 9 head. 10 Q. Do you have any -- do you take 11 anything for a migraine, for a post seizure 12 migraine? 13 A. No. 14 Q. Do you take any other kind of 15 medicine on a regular basis? 16 A. No. 17 Q. For anything? 18 A. No. 19 Q. Do you otherwise have migraines 20 except for post seizure migraines? 21 A. Yes. 22 Q. You do? 23 A. Yeah.</p>

Page 65

1 Q. What brings them on, if you  
2 know?  
3 MR. HARP: Object to the form.  
4 A. They are not really -- they just  
5 come.  
6 Q. Do you wear glasses?  
7 A. Yes. I have not worn them in  
8 years, though.  
9 Q. Are you wearing contacts now?  
10 A. Yes.  
11 Q. Do you typically wear contacts?  
12 A. Yes.  
13 Q. And I guess other than migraines  
14 do you have any other -- well, do you have any  
15 ongoing health conditions?  
16 MR. HARP: Object to the form.  
17 A. None that -- none described.  
18 Q. What I'm hearing is except for  
19 seizures and post-seizure headaches and  
20 occasional migraines -- is that a way to  
21 describe the frequency?  
22 A. Yeah. It's kind of like an  
23 everyday thing. I just tune them out, just --

Page 66

1 Q. But aside from those, do you  
2 have any other -- do you have a heart  
3 condition, for example?  
4 A. No.  
5 Q. Or any other system-wide  
6 conditions?  
7 A. I mean, I have been having very  
8 bad chest pains, but I have not went and got  
9 it checked out yet. I'm just trying to let  
10 time pass.  
11 Q. What does that feel like?  
12 A. My chest?  
13 Q. Uh-huh (indicating yes).  
14 A. Pressure, burning.  
15 Q. How often?  
16 A. Usually when I -- when I'm going  
17 to sleep at night and right when I wake up in  
18 the morning, but that's most of the time.  
19 That's the only time it really does it.  
20 MR. HOWARD: Would you like for  
21 her to take a break? I don't care. I'm happy  
22 to go.  
23 MR. HARP: Are you okay? It's

Page 67

1 your show. Do you want to take a break?  
2 THE WITNESS: We can. I don't  
3 care. We can go then.  
4 MR. HARP: Remember, it's not an  
5 endurance test.  
6 Q. (By Mr. Howard) Since this  
7 incident have you had any seizures?  
8 A. No.  
9 Q. Well, I guess I should say grand  
10 mals, but you haven't had any grand mals?  
11 A. No.  
12 Q. Have you had any of the other  
13 kind that the doctor described to you as  
14 pseudo seizures?  
15 A. No, sir.  
16 Q. Before this incident on January  
17 16, 2015, had you had any of these kind of  
18 pseudo seizures?  
19 A. No.  
20 Q. Okay. Tell me what it was about  
21 this -- what the doctor described to you as a  
22 pseudo seizure. How did that feel?  
23 A. Like when it happened?

Page 68

1 Q. When it happened.  
2 A. It's worse than the grand mal.  
3 I mean, to me.  
4 Q. From your point of view?  
5 A. Yes. Because it is just -- I  
6 don't know, because like with my other ones  
7 I'm out for a long period -- not a long  
8 period, but I'm out -- I will come in and out.  
9 Well, that night I was in and  
10 out. It was very traumatic, like very, very  
11 traumatic, terrifying. And, I mean, it's just  
12 -- I have no other words for it besides that.  
13 Q. But it hasn't happened since?  
14 A. No. I have been under the  
15 utmost care.  
16 Q. The doctor didn't prescribe you  
17 anything for the -- what he calls the pseudo  
18 seizures?  
19 A. No.  
20 Q. Are you able -- when you  
21 recollect back to that night, are you able to  
22 differentiate between when a grand mal was  
23 going on and when a pseudo seizure was going

Page 69

1 on?

2 A. No.

3 Q. I'm going to come back to this

4 in an orderly way in a minute, but while I'm

5 right there on that point let me ask you this:

6 On that night do you have -- what is your last

7 recollection before you had your first

8 seizure?

9 A. The last thing I remember on my

10 feet was the crowd dancing to the music.

11 Q. And do you know whether you had

12 that feeling of this is about to happen?

13 A. It all happened so fast I wasn't

14 -- yeah.

15 Q. Do you know whether you fell to

16 the floor?

17 A. Yes, I fell to the floor.

18 Q. Okay. Rather than sit yourself

19 down on the floor I guess is what I'm asking?

20 A. Yeah. I fell, yeah.

21 Q. If you know, what was your --

22 what is your next recollection after being on

23 your feet in the crowd dancing?

Page 70

1 A. On my back in the crowd.

2 Q. In the crowd?

3 A. Yes.

4 Q. When you found yourself on your

5 back in the crowd, did you experience that

6 same twilight bit of time when --

7 A. Yeah, that split second, oh, no.

8 Q. For a second not knowing where

9 you are and then you figuring out where you

10 are?

11 A. No. That's generally when I

12 wake up. When I go, it starts to happen, it's

13 like my body shuts down.

14 Q. And then your next recollection

15 is coming to on your back in the crowd; is

16 that right?

17 MR. HARP: Object to the form.

18 A. No.

19 Q. Okay. I just got that totally

20 wrong.

21 A. Yeah.

22 Q. What is your next recollection

23 when you, quote, came out of -- however you

Page 71

1 want to call it.

2 MR. HARP: There is no quote.

3 She didn't say -- why don't you just ask her

4 to tell you what happened, and then she can

5 walk you through it.

6 MR. HOWARD: Well, I'm trying

7 to, but that doesn't seem to work with your

8 objections.

9 MR. HARP: Because you are

10 trying to tell the story.

11 MR. HOWARD: No. I'm asking her

12 point by point.

13 Q. What is your next recollection,

14 after going into a seizure, when you were

15 dancing in the crowd?

16 A. I woke up on my back in the

17 lobby of Center Stage.

18 Q. Okay. I may have misheard you.

19 And what do you recall going on

20 when you woke up on your back in Center Stage?

21 A. I wasn't all the way to, but I

22 remember my little sister being beside me. I

23 was in her lap. She was holding me down. She

Page 72

1 had my head in her lap playing with my hair.

2 And the medic had asked her what was going on.

3 She told him that I had seizures. He asked

4 her how old I was and my name, and I went back

5 out again. And, yeah, that was the next time.

6 Q. Other than what you just said,

7 at that point do you recall if there was any

8 of you talking to anybody?

9 A. No.

10 Q. Okay. I know you heard these

11 others, your sister and you heard a medic?

12 MR. HARP: That mischaracterizes

13 her testimony.

14 MR. HOWARD: She said a medic

15 spoke.

16 A. I don't know if it was a medic

17 or not. I'm not really sure who he was. I

18 just knew it was somebody that -- I mean,

19 obviously, it was somebody that could do

20 something.

21 Q. I mean, that's why I'm asking

22 you the question.

23 So your sister is caressing your

Page 73

1 hair, I take it, correct?

2 A. (Witness nods head

3 affirmatively.)

4 Q. Yes?

5 A. Yes. She's letting me know it's

6 okay.

7 Q. Is she holding your head?

8 A. (Witness nods head

9 affirmatively.)

10 Q. Yes?

11 A. My head is in her lap, yes.

12 Q. And you hear someone ask her

13 about you?

14 A. (Witness nods head

15 affirmatively.)

16 Q. Correct?

17 A. Yes.

18 Q. Do you have a recollection of

19 seeing that person who asked her about you?

20 A. I know it was an officer, but

21 I'm not sure what his name was.

22 Q. How did you know it was an

23 officer?

Page 74

1 A. His uniform.

2 Q. I assume at some point since

3 this happened you have talked to your sister

4 about this?

5 A. Uh-huh (indicating yes).

6 Q. Which sister was this?

7 A. Danielle, the youngest one.

8 Q. And then you said you went out

9 again?

10 A. (Witness nods head

11 affirmatively.)

12 Q. Correct?

13 A. Yes.

14 Q. What do you next remember after

15 that?

16 A. There was a lot of loud noise.

17 When I woke up, I had -- I was on my back. I

18 couldn't move at all because I was being

19 pinned down. I had one -- I had one officer

20 at my neck, and each -- another one -- I had

21 one on this arm and one on this arm, one on

22 this leg and one on this leg and one at my

23 neck (indicating) holding my neck restrained.

Page 75

1 Q. Did you hear anything they said

2 after you came to?

3 MR. HARP: Object to the form.

4 By they --

5 Q. The officers, the five officers.

6 A. There was a lot of screaming.

7 It was just a lot of chaos going on, and I was

8 -- they were telling me to stay still, for me

9 to stop moving. And I kept asking them: What

10 is going on? Y'all let me go. I don't know

11 what is going on but I cannot breathe.

12 And they was telling me to shut

13 up, to keep my mouth shut and to listen to

14 them. And I think I went out again.

15 And then I woke up because I

16 heard my mom's voice. I knew she was close to

17 me. So I guess it kind of made me wake up.

18 And I heard my mamma grunt, and then -- it's

19 like I saw her little house shoes she was

20 wearing. It was like -- the way I was

21 sitting, it was like right in front of me. I

22 just saw her little slippers, and it was like

23 slow motion. And then I heard the laser, and

Page 76

1 I knew that they tased my mom. I just know

2 they did because I heard her scream. Then I

3 tried to sit up. And that one cop grabbed me

4 up by my neck and scooted me back. They put

5 their knees in my stomach so I could bend, and

6 they tased me. I was out.

7 Q. When you -- do you remember what

8 if anything you said to the five persons

9 holding you?

10 A. Do I remember what I said?

11 MR. HARP: Object to the form.

12 Q. Yeah.

13 A. Besides me telling -- I begged

14 them to tell me what was going on and for them

15 to let me go, and I couldn't breathe and to at

16 least let me sit up so I could catch a breath.

17 None of them would tell me their names. I

18 didn't even know what was going on. They

19 wouldn't even tell me what was going on. I

20 couldn't move. I was pinned down so tight.

21 Q. Are you able to estimate the

22 time period, the length of time between when

23 you came to, being held by five persons, to

Page 77

1 when you next went out, which you said was  
 2 after being tasered?  
 3 A. No, I can't recall.  
 4 Q. What I am hearing from you is:  
 5 From when you woke -- from when you woke up  
 6 with the five persons holding on to you,  
 7 through hearing a taser on your mom -- or what  
 8 you think is on your mom -- and it probably  
 9 was.  
 10 A. It was.  
 11 Q. It was. But you didn't see it.  
 12 You just heard it, correct?  
 13 A. I saw the light flash.  
 14 Q. And you heard your mom scream?  
 15 A. Yes.  
 16 Q. And then after that you were  
 17 tased and you blacked out again?  
 18 A. Yes.  
 19 Q. Okay. Was that one  
 20 uninterrupted -- you were conscious and stayed  
 21 conscious through the period you just told me  
 22 about and then blacked out?  
 23 A. When I -- then I woke up because

Page 78

1 I heard my mom's voice. That's what woke me  
 2 up. That's the first thing I remember  
 3 hearing.  
 4 Q. Tell me -- wait a minute.  
 5 That's why I'm asking. When you woke up  
 6 hearing your mom's voice, was that -- that  
 7 would have been before she was tased, right?  
 8 MR. HARP: Object to the form.  
 9 A. I'm confused on what you are  
 10 trying to ask me.  
 11 Q. Yeah. You did say something  
 12 about waking up to your mom's voice?  
 13 A. Yes.  
 14 Q. And that was before you got  
 15 tased?  
 16 A. Yes.  
 17 Q. Okay. And then after you woke  
 18 up hearing your mom's voice, is that when you  
 19 heard her be tased?  
 20 A. I woke up to her calling my  
 21 name.  
 22 Q. Right.  
 23 A. Telling me everything is going

Page 79

1 to be okay. That's how she does things. I  
 2 heard her getting closer. It was just like I  
 3 was getting calmer. It was like I was in a  
 4 dream. I didn't know what was real and what  
 5 wasn't. When I heard her grunt, it made me  
 6 wake up. It made me very alert. And I heard  
 7 the taser and I saw the light. I tried to sit  
 8 up. That was the only time I could get my  
 9 head off the ground. But that's when I did.  
 10 They swooped me up. They got me right in my  
 11 chest.  
 12 Q. Were you trying to see what was  
 13 going on with your mom?  
 14 A. Yes. That's why I tried to sit  
 15 up.  
 16 Q. But at that time you were still  
 17 being held generally by five people or a bunch  
 18 of people or whatever? You tell me.  
 19 A. It was five people, yes.  
 20 Q. I'm not trying to be flippant  
 21 here, but I understand you -- it would be easy  
 22 to come to five by saying head, arm, arm, leg,  
 23 leg. But were you talking -- are you talking

Page 80

1 about five different individuals, or do you  
 2 know?  
 3 MR. HARP: She never said five.  
 4 MR. HOWARD: Well, that's what  
 5 I'm saying.  
 6 MR. HARP: She didn't say five.  
 7 MR. HOWARD: Well, she counted  
 8 five.  
 9 MR. HARP: She counted where she  
 10 was being held. You translated it to five.  
 11 MR. HOWARD: That's what I'm  
 12 asking about.  
 13 Q. Do you know whether it was five  
 14 or not?  
 15 A. I don't.  
 16 Q. Fair enough. There were five  
 17 places on your body -- or five points on your  
 18 body where you being held?  
 19 A. Being held by each person.  
 20 Q. That's I'm asking you. If we  
 21 have got five points being held by each  
 22 person, I'm assuming you think five people?  
 23 A. There was more than one

Page 81

1 surrounding me.  
 2 Q. Right.  
 3 A. They were all hovering over me.  
 4 But each arm -- each limb was pinned to the  
 5 ground by somebody -- I know two people didn't  
 6 have one of my arms. They were just laying on  
 7 me, if you want to be technical about it.  
 8 Q. Do you know whether one person  
 9 may have had two of your arms?  
 10 A. I mean, they were right beside  
 11 me so I didn't see --  
 12 Q. How about your legs?  
 13 A. Huh?  
 14 Q. How about your legs?  
 15 A. Yeah. It was -- I think -- I  
 16 feel like they took turns, but I'm not sure.  
 17 I was in and out so.  
 18 Q. Fair enough. And that's exactly  
 19 why I was asking.  
 20 A. The way it felt, me being pinned  
 21 down, me couldn't move, yeah -- it was -- I  
 22 was pinned.  
 23 Q. Right. And I think you've just

Page 82

1 explained to me how you arrived at your  
 2 testimony that it was five people. Is that  
 3 right?  
 4 MR. HARP: Object to the form.  
 5 A. No.  
 6 Q. Okay. So you don't know whether  
 7 it was six or four or five persons holding you  
 8 down?  
 9 A. I guess not.  
 10 Q. Fine. That's what I'm asking  
 11 for.  
 12 How long after you got tased did  
 13 it -- how long was it after you got tased that  
 14 you went back into the blackout?  
 15 A. After the second one, when he  
 16 was coming down for the third, it was -- I  
 17 blacked out.  
 18 Q. Okay. Do you remember how long  
 19 it was between the first and second tasings?  
 20 A. Enough to pull back and go  
 21 again, to my knowledge but --  
 22 Q. Sure. When you say enough,  
 23 obviously it took long enough for it to happen

Page 83

1 because it happened?  
 2 A. Right.  
 3 Q. Right. I guess what I'm asking  
 4 is: Do you recall anything going on between  
 5 the two tasings?  
 6 MR. HARP: Object to the form.  
 7 A. It was kind of like one thing,  
 8 but no.  
 9 Q. Well, that's why I'm asking.  
 10 That's what I want to get, your experience.  
 11 A. Yeah. I have never been tased  
 12 before so that felt like -- I mean, I couldn't  
 13 tell you what happened was happening during  
 14 it. I got tased twice, and I went to sleep.  
 15 Q. Okay. Do you remember anyone --  
 16 well, let me back up.  
 17 Do you remember becoming aware  
 18 or being aware that somebody had a taser?  
 19 A. No.  
 20 Q. That might end up being used on  
 21 you?  
 22 A. I didn't know where I was. I  
 23 didn't know what was going on.

Page 84

1 Q. Sure.  
 2 A. That was the last thing I was  
 3 thinking was going to happen, you know.  
 4 Q. So you don't recall anyone  
 5 warning you about being tased?  
 6 A. I don't recall.  
 7 Q. That's fine.  
 8 A. I was prepared, though.  
 9 Q. How come?  
 10 A. I guess because I had five --  
 11 they were all holding me down so what else  
 12 could happen. You know, I didn't know what  
 13 was going on at that point. It did surprise  
 14 me but --  
 15 MR. HARP: Wait for a question.  
 16 Q. Yeah. How would you have been  
 17 prepared?  
 18 MR. HARP: Object to the form.  
 19 A. I don't recall.  
 20 Q. So you don't recall anyone  
 21 saying the word "taser" to you before you got  
 22 tased?  
 23 A. No.

Page 85

1 Q. And you don't recall becoming  
2 aware of the idea of a taser before you got  
3 tasered?  
4 A. No.  
5 MR. HOWARD: Okay.  
6 MR. HARP: Can we take a break?  
7 We have been going about an hour and five  
8 minutes.  
9 MR. HOWARD: Sure. Not a  
10 problem.  
11 (Whereupon, a brief recess was  
12 taken.)  
13 Q. (By Mr. Howard) TDH, a minute  
14 ago you said you saw -- I believe you said you  
15 saw the light of a taser?  
16 A. The strobe light.  
17 Q. The strobe light?  
18 A. Does it look like a strobe light?  
19 It looked like a strobe light to me.  
20 Q. Was that when it was being -- on  
21 your mom or on you?  
22 A. My mom.  
23 Q. Okay. Do you remember any such

Page 86

1 light when it was on you?  
2 A. I don't remember.  
3 Q. Sure.  
4 A. My eyes were closed.  
5 Q. Do you remember knowing you were  
6 going to get tased before you got tased?  
7 MR. HARP: Object to the form.  
8 A. No.  
9 Q. Aside from hearing your mom  
10 during this period of time we have been  
11 talking about, before y'all were tased, do you  
12 remember hearing any other voices besides the  
13 people holding you down and your mom? Anybody  
14 else?  
15 A. No. They were screaming so loud  
16 they kind of voiced over --  
17 Q. I take it that it was -- it  
18 sounded chaotic; is that fair?  
19 MR. HARP: Object to the form.  
20 A. If anything, that's like an  
21 understatement, but something along those  
22 lines, I guess.  
23 Q. When we say that, are you

Page 87

2 referring to just the whole area, hearing the  
2 whole area?  
3 MR. HARP: Object to the form.  
4 A. Everything, period, was chaotic.  
5 Q. Okay.  
6 A. Yeah, what you're saying around  
7 me, yeah.  
8 Q. Yeah. I mean, were you aware  
9 enough to know that -- besides being held down  
10 by these persons that there were crowds around  
11 or --  
12 A. Well, I couldn't really tell you  
13 if there was a crowd passing by or passing  
14 too.  
15 Q. Right.  
16 A. I knew there was people walking  
17 past. I wasn't aware -- I didn't have an  
18 understanding of what was going on.  
19 Q. Sure.  
20 A. When it was going -- that wasn't  
21 really my main focus, I guess you could say.  
22 But I was -- just the police officers alone  
23 was just so much.

Page 88

1 Q. Sure.  
2 A. The screaming, everything that  
3 was going on, it was just very -- it was just  
4 too much.  
5 Q. I take it -- have you ever come  
6 to out of a seizure and found yourself being  
7 held down?  
8 A. No, never besides that time --  
9 besides that night.  
10 Q. Have you ever come out of a  
11 seizure and felt someone holding your head?  
12 A. I have had people beside me but  
13 not touching me, really.  
14 Q. And on these times when you  
15 awoke to people -- we are agreeing that this  
16 is not sleeping, but I'm using awoke and came  
17 to together; fair enough?  
18 A. Sure, yes.  
19 Q. On these occasions when you  
20 awoke with people around you, do you recall  
21 anybody holding your head at the time you came  
22 awake?  
23 MR. HARP: Object to the form.

Page 89

1 A. No, I mean, not holding. I  
 2 mean, making sure that I was safe, you know,  
 3 not that -- like I said, I bang my head. My  
 4 mom is the only person I have woke up to with  
 5 her even touching me, period.  
 6 Q. And what was she doing on that  
 7 time or those times?  
 8 A. I was like this (indicating).  
 9 She had my head like this (indicating),  
 10 holding my head, like not --  
 11 Q. She had her hands like  
 12 open-palmed supporting the back of your head?  
 13 A. Yeah.  
 14 Q. Is that right?  
 15 A. Yes.  
 16 Q. Have those folks who have seen  
 17 you have one of your seizures, do they  
 18 describe you as shaking -- convulsing is what  
 19 I have heard?  
 20 A. Yes.  
 21 Q. I think we said that earlier  
 22 but -- okay.  
 23 This is a bit of a side note,

Page 90

1 but do you remember what you were wearing that  
 2 night in general?  
 3 A. I think I was wearing a black  
 4 t-shirt, blue skinny jeans. And I'm not sure  
 5 of my shoes because I lost them.  
 6 Q. Would you have had a coat on?  
 7 A. No.  
 8 Q. Even though it was in November?  
 9 A. January?  
 10 Q. I mean January. Even though it  
 11 was in January?  
 12 A. It wasn't that cold outside.  
 13 Q. You didn't have any sort of  
 14 medical ID bracelet or anything telling  
 15 someone you were a seizure person at the time,  
 16 did you?  
 17 A. I did have one, but I'm not sure  
 18 if they broke it off that night, because after  
 19 that night I don't know what happened to it.  
 20 I have not been able --  
 21 Q. Do you know whether you had it  
 22 on that night?  
 23 A. I'm not sure -- I don't think I

Page 91

1 did.  
 2 Q. During this first time period of  
 3 awakesness, when you were being held down, do  
 4 you remember experiencing any other pains or  
 5 problems with your body aside from being held  
 6 down?  
 7 A. I know that I was just very sore  
 8 already, like my body -- I was so exhausted.  
 9 I felt like it was just because -- I guess  
 10 when I fell. I was so exhausted. My hair was  
 11 like in knots. My head was hurting all over.  
 12 Q. Your hair was in knots?  
 13 A. Yeah.  
 14 Q. What do you mean?  
 15 A. Like it was just all tangled up.  
 16 Q. Okay. Was your hair about the  
 17 length it is today?  
 18 A. A little longer. I've just  
 19 gotten my hair cut.  
 20 Q. Okay. Were you about the same  
 21 physical proportions you are today?  
 22 A. I think I have gained a couple  
 23 pounds.

Page 92

1 Q. But that's it?  
 2 A. Yeah.  
 3 Q. I ask for the obvious reasons.  
 4 Do you know whether you were  
 5 already experiencing these migraine like  
 6 symptoms that you get after a seizure?  
 7 A. I'm sorry. Repeat that question  
 8 one more time.  
 9 Q. Yeah. During this first awake  
 10 period, do you remember whether you were  
 11 already having those migraine type pains or  
 12 not?  
 13 A. No, I was not aware of it.  
 14 Q. Okay. Do you remember the  
 15 effect of the taser on you?  
 16 MR. HARP: Object to the form.  
 17 A. Are you asking me what it felt  
 18 like?  
 19 Q. Yeah. I'm asking first do you  
 20 remember; and if so, what did it?  
 21 A. When I look back, I remember,  
 22 but there wasn't much -- I didn't have much  
 23 time, but it was like a stuck feeling.

Page 93

1 Q. That's why I'm asking you, TDH,  
2 is -- because you said you went into a  
3 blackout.  
4 A. Uh-huh (indicating yes).  
5 Q. And that's why I'm asking you if  
6 you -- if there was a time between feeling  
7 what I guess the taser feels like and going  
8 back into a blackout?  
9 A. No. I was -- I was asleep after  
10 it -- he tased me the second time.  
11 Q. And a minute ago -- you correct  
12 me if I'm wrong -- you said something, from  
13 which I formed the impression that one and  
14 two -- tasings one and two were very close  
15 together --  
16 A. One after the other.  
17 Q. Okay. As you look back on it,  
18 do those one after the other -- do you know  
19 when one stopped and the other started?  
20 MR. HARP: Object to the form.  
21 A. The second one was longer, it  
22 felt like. But the second one followed the  
23 first one, right after the first one.

Page 94

1 Q. Okay. I guess that's what I'm  
2 getting to. You didn't remember a period of  
3 time particularly between the two?  
4 A. No.  
5 Q. I know you said you thought he  
6 was coming in for tasing number three?  
7 MR. HARP: She didn't say  
8 thought.  
9 Q. Well, did you say he was coming  
10 in for tasing number three?  
11 A. He was.  
12 Q. How do you know that?  
13 A. He was coming back down with it.  
14 Q. So you saw him?  
15 A. Yeah. He was standing up. I  
16 was on my back on the ground.  
17 Q. And he was actually on his feet?  
18 A. On his feet.  
19 Q. And had he been on his feet  
20 during the two tasings?  
21 A. Talking about the guy who tased  
22 me?  
23 Q. Yeah.

Page 95

1 A. Yeah, he was standing there  
2 tasing me.  
3 Q. And he was on his feet at that  
4 time?  
5 A. Yeah.  
6 Q. Not on his knees.  
7 A. No.  
8 Q. And on time number three, he was  
9 on the way down to tase you is what I'm  
10 hearing you say you saw?  
11 A. Yes.  
12 Q. But before he got there you  
13 blacked out?  
14 A. Yes. I couldn't take no more.  
15 Q. What do you next remember after  
16 blacking out following the taser?  
17 A. I woke up on a gurney. I think  
18 that's what that's called. I was just sitting  
19 in there in the lobby. I don't know what --  
20 why it took so long for them to roll me out.  
21 Q. On a gurney in the lobby?  
22 A. Uh-huh (indicating yes), yes.  
23 Q. Is that yes?

Page 96

1 A. Yes.  
2 Q. Were you on a gurney -- a gurney  
3 that stands up, or were you on a gurney on the  
4 ground?  
5 A. It was on a metal, lower --  
6 Q. Okay. So you were up off the  
7 ground on something?  
8 A. Yeah, uh-huh (indicating yes).  
9 Yes.  
10 Q. I guess what I'm getting to, if  
11 somebody were walking by, you wouldn't be at  
12 their feet, you would be at their middle on  
13 down somewhere?  
14 A. Yes, yes.  
15 Q. Okay. Were you strapped on the  
16 gurney, or do you know?  
17 A. Yes.  
18 MR. HARP: What? He asked you a  
19 compound question.  
20 Q. Yeah, I did. Do you know, and  
21 you said yes; and, yes, you were strapped on a  
22 gurney?  
23 A. Yes.

Page 97

1 Q. He was right. Do you have -- so  
2 what I'm hearing is after you went into that  
3 second blackout, after the tasing, you don't  
4 have any memory of the medics working on you,  
5 over you or --  
6 A. Uh-uh (indicating no). No.  
7 Q. Fair enough. When you came to  
8 on the gurney, did you have anything on your  
9 face?  
10 A. My mouth was taped shut.  
11 Q. Taped shut. Do you remember  
12 whether -- here is why I'm asking: I can  
13 envision somebody strapping you to a gurney  
14 with your arms by your sides. Is that right?  
15 A. It was in a nine-point  
16 restraint.  
17 Q. How do you know that?  
18 A. When I got to the hospital I  
19 counted the straps.  
20 Q. Have you ever heard that term  
21 before, nine-point restraint?  
22 A. No. That's what the doctor  
23 called it.

Page 98

1 Q. The doctor at the hospital?  
2 A. Yes.  
3 Q. Did the doctor at the hospital  
4 say anything else about your nine-point  
5 restraint?  
6 A. No.  
7 Q. Just said that's what it was?  
8 A. (Witness nods head  
9 affirmatively.)  
10 Q. Yes?  
11 A. Yes.  
12 Q. Is it fair to say that you  
13 weren't able to get up off the gurney?  
14 A. When I got to the hospital?  
15 Q. No. Anytime before you got let  
16 up?  
17 A. No.  
18 Q. I know I'm being facetious.  
19 Do you remember speaking to  
20 anyone while you were on the gurney?  
21 A. While being transported?  
22 Q. Yeah. Up until the time you  
23 woke up and got yourself tied into the gurney

Page 99

1 to -- I guess until they got you out to the  
2 ambulance, anybody at the place --  
3 A. It's really very, very cloudy.  
4 Q. Do you have much recollection of  
5 the transport to the hospital?  
6 A. I think I fell asleep.  
7 Q. I'm assuming, if anything, you  
8 are in the back of some ambulance, and that's  
9 -- is that a fair enough statement?  
10 MR. HARP: Object to the form.  
11 A. I know that they put me in an  
12 ambulance.  
13 Q. Do you remember any  
14 conversations or discussions with any of the  
15 ambulance people?  
16 A. No. They would not talk to me,  
17 I don't think.  
18 Q. Well, do you remember trying to  
19 talk to them?  
20 A. I was belligerent, crying out.  
21 Nobody was answering me at all. I got no  
22 answers. I didn't even get my vitals taken.  
23 Q. How do you know that?

Page 100

1 A. Because I had no IV in my arm.  
2 I was asked no questions.  
3 Q. Do you know whether they had  
4 already obtained your vitals?  
5 A. Say that one more time.  
6 Q. Yeah. Do you know whether they  
7 had already obtained your vitals?  
8 A. What do you mean?  
9 Q. You said they had not obtained  
10 your vitals?  
11 A. They didn't.  
12 Q. While you were in the ambulance?  
13 A. I mean, that's where they would  
14 have did it, correct?  
15 Q. How do you know that?  
16 A. Because that's where they do it.  
17 Q. Do you know --  
18 A. I mean, I know cops don't do it.  
19 Q. Do you know whether the medic --  
20 did you ever see any medics --  
21 A. Not the hospital --  
22 Q. Not the hospital transport  
23 people. Well, good point. Do you know the

Page 101

1 difference?

2 A. I don't really know the

3 difference.

4 MR. HARP: Between --

5 THE WITNESS: Paramedic -- like

6 I know -- I know the -- I just don't know the

7 proper name for them. Like, you know what I'm

8 saying?

9 Q. Do you know that --

10 A. I know the difference between a

11 cop and a medic. I don't know the difference

12 between a medic or a paramedic.

13 Q. And there were definitely

14 medical people in the ambulance?

15 A. Yes, they were wearing uniforms.

16 Q. Right. What I have heard so

17 far -- insofar as medical people on the scene

18 rendering you assistance, you don't have any

19 memory of it?

20 A. No, I don't remember seeing a

21 medic person until I got in the ambulance,

22 until I knew I was being put in the ambulance.

23 Q. Sure. So the only uniforms you

Page 102

1 recall seeing on this night before the

2 ambulance is cops?

3 A. Yes. There were different

4 uniforms, but I know they were police officer

5 uniforms.

6 Q. Describe those differences. Why

7 do you say they were different?

8 A. I mean, they did look the same,

9 but the guy who had tased me had a yellow

10 thing on his sleeve. I didn't see that on any

11 of the other ones.

12 Q. And from the gurney to ambulance

13 you don't have any recollection of anybody

14 saying anything to you? And I'm not saying

15 they did or did not. I'm just saying do you

16 remember it?

17 A. I wouldn't doubt if somebody

18 did. I couldn't tell you exactly what was

19 said or who would have said it.

20 Q. Okay.

21 A. There's only a couple of things

22 that my mind has grabbed and remembered.

23 Q. Do you recall any words from or

Page 103

1 words exchanged between you and any -- what I

2 would call civilian, not a cop, not a

3 uniform --

4 A. Uh-uh (indicating no).

5 Q. Is that a no?

6 A. No. I'm sorry.

7 Q. There is some video that would

8 suggest -- or at least does to me -- that

9 there was someone that spoke at you that you

10 knew. But you don't have any memory of that,

11 correct?

12 MR. HARP: Object to the form.

13 If there is video, we'd like to see it,

14 because we haven't seen any video like that.

15 MR. HOWARD: Well, I think it's

16 somebody named Jamal. It's on those videos.

17 MR. HARP: Not on the videos we

18 have, because I have watched them all.

19 MR. HOWARD: Well, let's remedy

20 that while we are here.

21 MR. HARP: You brought it out in

22 a deposition so we'd like to see the video.

23 MR. HOWARD: Well, sure. I will

Page 104

1 give you the video.

2 Q. (By Mr. Howard) Do you recall

3 any words with anyone named [REDACTED]?

4 A. No.

5 Q. Is that a no?

6 A. No.

7 Q. Do you recall having a friend at

8 the time named [REDACTED]?

9 A. No.

10 MR. HOWARD: I don't even know.

11 MR. HARP: Therein lies the

12 problem with this line of questions.

13 Q. But in any event, you don't

14 remember any interaction with anybody that you

15 knew --

16 A. I don't recall.

17 Q. -- at that time? Fair enough.

18 What do you remember about --

19 MR. HARP: Can we get that

20 video?

21 MR. HOWARD: Yeah. But let me

22 finish my questioning. I'm off the video.

23 Q. What do you remember about the

<p style="text-align: right;">Page 105</p> <p>1 hospital?</p> <p>2 A. They -- I don't know if it was</p> <p>3 the lobby of the hospital or not, I know I</p> <p>4 wasn't in a room yet. And they wheeled me in.</p> <p>5 And the cops were telling them -- I'm not real</p> <p>6 sure. I can't remember everything that was</p> <p>7 said. But they did say that I needed to be</p> <p>8 put in a room and that -- something about</p> <p>9 Mountain View. And I have heard of Mountain</p> <p>10 View before. And I spoke up, and I was like</p> <p>11 what are you talking about? The cop told me I</p> <p>12 needed to keep my mouth shut because I am</p> <p>13 about to be transported to Mountain View. And</p> <p>14 that's when I started crying. And then the</p> <p>15 cops left. And then I asked the doctor why</p> <p>16 would I be going to Mountain View, and he was</p> <p>17 like you are not. He was like I don't know</p> <p>18 what is going on, and they released me.</p> <p>19 Q. Okay. Have you come to know who</p> <p>20 that police officer was that spoke about</p> <p>21 Mountain View?</p> <p>22 A. No. I don't recognize any of</p> <p>23 them. I don't know them personally.</p>	<p style="text-align: right;">Page 107</p> <p>1 about what happened to you at the hospital?</p> <p>2 A. No.</p> <p>3 Q. I apologize if you told me this.</p> <p>4 Do you continue now, into June 2016, continue</p> <p>5 to see Dr. Russell?</p> <p>6 A. No.</p> <p>7 Q. Okay. Did you see him just once</p> <p>8 after the incident?</p> <p>9 A. No. It was more than once. But</p> <p>10 after he had moved out of his office, I just</p> <p>11 kind of drew back from everything.</p> <p>12 Q. Why have you not returned to</p> <p>13 school?</p> <p>14 A. I'm actually trying to -- I was</p> <p>15 thinking about getting -- trying to enroll for</p> <p>16 Gadsden State in the fall, but I'm just trying</p> <p>17 to --</p> <p>18 Q. Would you have to have a GED to</p> <p>19 enroll at Gadsden State?</p> <p>20 A. They do both classes. You can</p> <p>21 go for your GED, or you can start on your</p> <p>22 major.</p> <p>23 Q. Right.</p>
<p style="text-align: right;">Page 106</p> <p>1 Q. Sure. And I don't -- just you</p> <p>2 knowing his name, but do you know whether that</p> <p>3 person, for example, was one of the police</p> <p>4 officers that was involved with you previously</p> <p>5 at the place?</p> <p>6 A. I'm not sure if it was that --</p> <p>7 I'm pretty sure they were the same. But, then</p> <p>8 again, I can't -- I can't recall because I</p> <p>9 don't know if the same police officers</p> <p>10 followed the ambulance to the hospital or -- I</p> <p>11 don't know how they do things.</p> <p>12 Q. Right. In other words, it sort</p> <p>13 of seems like -- it seems like to me it might</p> <p>14 have been some of the same ones that dealt</p> <p>15 with you --</p> <p>16 MR. HARP: Object to the form.</p> <p>17 Q. But do you know is the question?</p> <p>18 A. No.</p> <p>19 Q. And did you recognize anyone at</p> <p>20 the hospital?</p> <p>21 A. No.</p> <p>22 Q. Okay. Has anyone since this</p> <p>23 happened told you any further information</p>	<p style="text-align: right;">Page 108</p> <p>1 A. But I'm wanting to get my GED,</p> <p>2 though, first.</p> <p>3 Q. I would assume you have got to</p> <p>4 at least be doing it at the same time; is that</p> <p>5 right?</p> <p>6 A. Something, yeah, like that.</p> <p>7 Q. After this incident happened,</p> <p>8 why did you not return to school?</p> <p>9 A. Well, most of the people that</p> <p>10 was at the concert I went to school with.</p> <p>11 Q. At Southside?</p> <p>12 A. Yes.</p> <p>13 Q. Okay.</p> <p>14 A. And when I got back, it was</p> <p>15 just -- people were just -- it was just too</p> <p>16 much. People was asking questions, and people</p> <p>17 was making fun of me. And it was just -- it</p> <p>18 was just too much for me.</p> <p>19 Q. What about what they were saying</p> <p>20 was making fun of you?</p> <p>21 A. Well, because the cops was</p> <p>22 making it out to be like I was having a drug</p> <p>23 trip or something. Well, everybody at</p>

Page 109

1 Southside was saying, oh, she had a drug  
 2 reaction and she got tased by the police.  
 3 Everybody has their own story.  
 4 Q. I understand.  
 5 A. I just wasn't prepared for it.  
 6 I just couldn't do it.  
 7 Q. So I'm getting from that that  
 8 you actually did return to the school  
 9 premises?  
 10 A. Yes.  
 11 Q. For how long?  
 12 A. A day.  
 13 Q. A day? And do you remember how  
 14 long after this happened, assuming it was  
 15 January 16 -- 15 -- no -- 16?  
 16 A. I'm not sure what day I did go  
 17 back to Southside, but I know I did go back.  
 18 It wasn't long after.  
 19 Q. Was the concert on a Saturday  
 20 night, or do you remember?  
 21 A. Friday.  
 22 Q. Friday night?  
 23 A. I went to school that day.

Page 110

1 Q. You went to school that day.  
 2 That's right.  
 3 Were you having seizure issues  
 4 that day?  
 5 A. Yes.  
 6 Q. A full grand mal?  
 7 A. At soccer practice.  
 8 Q. I'm sorry. What did you say?  
 9 A. At soccer practice, yes.  
 10 Q. Oh, at soccer practice. Okay.  
 11 Was it one of your typical, not  
 12 much warning --  
 13 A. Yes. We had just now gotten  
 14 dressed. We all just got dressed out to start  
 15 practice. She had told us to start warming  
 16 up. That's the last thing I remember her  
 17 saying is warm up.  
 18 Q. Do you recall anything having  
 19 gone on earlier that day that might have set  
 20 -- that might have been a trigger?  
 21 A. Well, I mean, I had been going  
 22 through a lot. I know everybody goes through  
 23 a lot. It's been tough on me the last couple

Page 111

1 of years. Some days I broke -- some days I  
 2 let it get to me, and I had my little -- you  
 3 know, but it's just about time. I'm trying to  
 4 get back to the old me. Trying to get back to  
 5 life.  
 6 Q. On Friday -- it's not Friday the  
 7 13th because I think we would have noted that.  
 8 Friday the 16th?  
 9 A. The 17th.  
 10 Q. Friday the 17th. On Friday the  
 11 17th, what was it that was causing you to want  
 12 to get back to the old you?  
 13 A. Repeat that question.  
 14 Q. Yeah. On Friday the 13th --  
 15 MR. HARP: Wait.  
 16 Q. Friday the 17th.  
 17 MR. HARP: Okay. Just so we are  
 18 clear: In January 2015, the 16th was a  
 19 Friday. The 17th was a Saturday. The 18th  
 20 was a Sunday.  
 21 MR. HOWARD: Okay.  
 22 MR. HARP: And nothing happened  
 23 on Friday the 13th, because the 13th in

Page 112

1 January 2015 was a Tuesday. So we are dealing  
 2 with January 16, 2015, into the morning of  
 3 January 17th, 2015.  
 4 MR. HOWARD: Okay.  
 5 MR. HARP: Are we clear?  
 6 MR. HOWARD: So the night of  
 7 Friday the 16th?  
 8 MR. HARP: Right.  
 9 Q. (By Mr. Howard) So on Friday the  
 10 16th, what had caused you on that day or what  
 11 was causing you up to that day to make you  
 12 want to work to getting back to the old me?  
 13 MR. HARP: Object to the form.  
 14 A. I'm still confused on what  
 15 you're asking.  
 16 Q. Sure. You said you were working  
 17 on getting back to the old me. Do you  
 18 remember that?  
 19 A. Yeah.  
 20 Q. And was that something that was  
 21 going on before the 16th, before that day?  
 22 A. I mean, not really, but yeah.  
 23 Q. Okay.

Page 113

1 A. It was like this much of what's  
2 going on with me (indicating). Do you know  
3 what I'm saying?  
4 Q. What had gotten you away from  
5 the old you?  
6 A. A tragic incident.  
7 Q. And before --  
8 A. Trauma.  
9 Q. Sure enough. And we are talking  
10 about before the night, Friday night?  
11 A. Before and after.  
12 Q. Before what traumatic incidents  
13 are you talking about?  
14 A. I was walking down the street,  
15 and I got hit by a car from behind.  
16 Q. The pedestrian accident.  
17 Absolutely.  
18 A. Pretty scary.  
19 Q. Any others?  
20 A. No.  
21 Q. What sort of incidents,  
22 traumatic type incidents happened after?  
23 A. After what?

Page 114

1 Q. After 1-16-15.  
2 A. Nothing. Nothing that could  
3 come close to that. Everything else was like  
4 nothing to me.  
5 Q. Has Dr. Russell or anybody else,  
6 his partner, offered you any explanations of  
7 why you haven't had any seizures since January  
8 16th of '15?  
9 A. No. But the only answers I  
10 really need are from God (indicating).  
11 Q. Sure.  
12 A. He's the only one who had my  
13 head that night. I had a chance to let him  
14 make me or break me, and I let him make me.  
15 MR. HARP: Just answer his  
16 questions. Has Dr. Russell offered you any  
17 explanation?  
18 THE WITNESS: No.  
19 Q. (By Mr. Howard) As far as your  
20 not returning to school after the one day you  
21 went back, what was your mother's position on  
22 that?  
23 MR. HARP: Object to the form.

Page 115

1 A. I'm confused. What are you  
2 asking?  
3 Q. Did your mother agree with your  
4 not going back or disagree with it?  
5 A. Whatever was easier on me, she  
6 was behind 100 percent.  
7 Q. Did you or your mom have any  
8 discussions with the Southside High School  
9 folks about any alternative ways for you to  
10 get your schooling?  
11 A. We was going to do a homebound.  
12 Then something happened, and I wasn't  
13 eligible. But I just -- I had changed my  
14 mind. I was just going to go to college, and  
15 so I went on job corps, and I ended up not  
16 doing that, but -- so this is my next time,  
17 go around with Gadsden State in the fall.  
18 Those are the only two times I have tried to  
19 get back in school, though.  
20 Q. Sure.  
21 MR. HOWARD: I think I'm likely  
22 to finish up at about a good lunch break time.  
23 MR. HARP: Okay.

Page 116

1 MR. HOWARD: I don't have too  
2 much more.  
3 MR. HARP: All right.  
4 Q. (By Mr. Howard) What other --  
5 not what other.  
6 What activities do you -- what  
7 kinds of things are you either unable to do or  
8 suffer with, either one, because of this  
9 accident?  
10 MR. HARP: Object to the form.  
11 Can we break that question down, please?  
12 MR. HOWARD: Sure.  
13 Q. Are there any things that you  
14 used to find yourself able to do but now find  
15 yourself not able to do because of what  
16 happened to you on January 16th?  
17 A. It's affected everything I do.  
18 Q. How?  
19 A. I mean, I never knew what it was  
20 like to have -- to have a comfortable feeling  
21 of walking in Walmart just nonchalant, not be  
22 normal. I can't even walk into gas stations  
23 and pay for gas.

Page 117

1 Q. How come?

2 A. Because of crowds, people

3 staring at me, too many people at one time,

4 too many noises going on at one time.

5 I mean, that night I felt like I

6 was worthless. They made me feel like I was a

7 worthless animal. So I feel like I'm also a

8 burden to people now just because -- I don't

9 know. I just feel like I'm in the way.

10 It's affected my work. I have

11 always wanted to be -- since I was a kid I

12 wanted to go into law enforcement. I wanted

13 to be a detective and everything. Law and

14 Order was my show. But it's made me like very

15 scared, I'm not a scared person. I'm very

16 strong. The other kids, I'm scared that -- I

17 just don't want them going through something

18 like that because, I mean -- I mean, it wasn't

19 my mother's fault at all. It's not like she

20 let it happen but, I mean, stuff happens. I

21 don't know what I would do -- because nobody

22 should be treated like that.

23 I'm scared to have friends just

Page 118

1 because I don't want them -- I just don't want

2 to bother anybody. Like, that's my main

3 thing. I don't want anybody ever feeling like

4 they have to do anything like that for me ever

5 again.

6 Q. What about it has affected your

7 work?

8 A. Big crowds, a lot of stuff going

9 on at one time.

10 Q. A lot --

11 A. A lot of stuff going on at one

12 time. People pointing, people staring, people

13 asking me what my name is. People talking to

14 me, period.

15 I have -- I just have like

16 anxiety. Like now I overexaggerate about the

17 littlest thing. I feel like I can't work

18 because I'm so focused on what's going when I

19 just need to be focused on working, but I

20 can't help but not focus on it, like looking

21 over my shoulder every five minutes or -- I

22 don't know. It's like I just can't trust

23 nobody. I can't trust nobody or nothing at

Page 119

1 all.

2 Q. Did you stop working at Jack's

3 because you were starting the Sonic deal in

4 Albertville?

5 A. No. I was in the hospital that

6 next morning, first Saturday morning, and I

7 was supposed to work that morning. And my

8 boss had called me, and she was asking me why

9 I wasn't at work. I told her that I had been

10 in the hospital and I was not going to be able

11 to make it back to work. She just --

12 Q. Oh, okay. I'm sorry. I did not

13 establish, and I should.

14 So at the time of the incident

15 in January of 2015, you were --

16 A. Working at Jack's.

17 Q. Working at Jack's, Alabama City?

18 A. Yes.

19 Q. And they did not accept the

20 explanation about your having gone to the

21 hospital?

22 A. She did. She understood. She

23 told me that just to take my time, hoped that

Page 120

1 whatever symptoms I had that I would get to

2 feeling better, if I ever get a job again she

3 would be my reference, like she just gave me a

4 good word.

5 Q. Right. So what I'm hearing from

6 you is after the incident of January 16, 2015,

7 you stopped working at Jack's, correct?

8 A. Yes.

9 Q. And then how long was it before

10 you got the job at Sonic in Albertville?

11 A. I started working at Sonic this

12 past April.

13 Q. Okay.

14 A. No, March, March. It was the

15 beginning of this year.

16 Q. You had not worked before

17 Jack's?

18 A. No.

19 Q. Correct?

20 A. No.

21 Q. After you -- after this

22 incident, up until April, you did not work?

23 A. No.

Page 121

1 Q. Okay. Is there a reason why?

2 A. It's kind of like the same

3 reason why I couldn't work at Sonic. It's

4 just -- everywhere I went, I just did not feel

5 comfortable. I couldn't bring myself to just

6 be calm and work and go home. I couldn't just

7 put myself -- I felt like it was a maturity

8 thing at first but -- it kind of is, but it's

9 not. But I just did not -- I couldn't trust

10 myself, really, to just do it -- do all that

11 at first -- like all that -- I just wasn't

12 ready for it but tried to take one day at a

13 time.

14 Q. Were you going to be a server at

15 Sonic? Is what you signed up for?

16 A. A carhop. Well, no. I actually

17 signed up to be a cook, but they didn't have

18 -- she told me they didn't need nobody for

19 cook, only nights. I was kind of working half

20 and half. I didn't work that long as a

21 carhop.

22 Q. Would you have had to stay as a

23 carhop? Do they have to skate?

Page 122

1 A. Yeah. I think they give you the

2 option, though.

3 Q. Presently you are working at

4 Lil' Pruett's?

5 A. Yes.

6 Q. Approximately 30 hours a week?

7 A. Yes.

8 Q. I asked you a minute ago about

9 any traumatic -- I may have used the word

10 injuries -- after the incident. But I should

11 have said also any other traumatic events

12 after the incident that you've had to deal

13 with.

14 A. Traumatic event? Do you mean

15 like panic attacks?

16 Q. Yeah.

17 A. But those are --

18 Q. Describe that.

19 A. My panic attacks -- I get panic

20 attacks all the time, but they are getting

21 better.

22 Q. Did you have those before?

23 A. Not really. Not like as

Page 123

1 serious.

2 Q. What happens to you when that

3 happens?

4 A. I start shaking. I can't

5 breathe. I get agitated, like I can't have

6 nobody close to me. I will back up. I will

7 start crying. I don't know why. It's like a

8 -- I feel like it's a normal thing, almost

9 like when girls -- when we get moody, but it's

10 like ten times greater.

11 Q. You are in a room with several

12 men. We understand what you're talking about.

13 But you think it's maybe more than that?

14 A. Oh, yeah. I'm just comparing --

15 I guess just like it's just erratic.

16 Q. Do you know whether those have

17 any triggering things?

18 A. They do, but those are about --

19 it's like a mind over matter thing I have

20 learned, breathing and just doing my thing.

21 Q. Have you had any interactions

22 with any police officers about anything since

23 this incident?

Page 124

1 A. Yes. Not about this but --

2 Q. Right.

3 A. I had -- me and one of my

4 friends -- he had just got a brand new car.

5 We was pulling out of Walmart, and he didn't

6 go into the very left lane. And he got pulled

7 over. And there was a traffic stop. And they

8 pulled all of us out of the car. Nobody got

9 in trouble. It was just -- he was very nice

10 -- the police officer was very nice, the one

11 that pulled us over, not the other six that

12 were there. But he -- he was very nice. He

13 just let us go about our way, though.

14 Q. Where was that?

15 A. Do you know where they are

16 building like Panda Express?

17 Q. Yes.

18 A. It was right across the street,

19 in that dealership parking lot.

20 Q. Across from Walmart and all that

21 stuff?

22 A. Yeah. He was turning left, and

23 he took that wide left, so they pulled him

Page 125

1 over right there.

2 Q. But you weren't driving?

3 A. No.

4 Q. Just a passenger?

5 A. Yes.

6 Q. But they made everybody get out

7 of the car?

8 A. Yes.

9 Q. And there were a whole bunch of

10 cars -- excuse me -- a whole bunch of police

11 cars?

12 A. There was only one at first.

13 Q. Okay.

14 A. And then I saw like two or three

15 more.

16 Q. When you say you saw them, did

17 they come and appear to be interested in what

18 was going on with y'all?

19 A. Yeah. That's what I thought.

20 Q. Sure. What time of the day was

21 that?

22 A. It was dark. So it was like --

23 I'd say 8:00 or 9:00 o'clock. I don't really

Page 126

1 stay out late.

2 Q. But in any event, they didn't

3 search the car or make y'all spread eagle on

4 the car or nothing like that?

5 A. No, no, no.

6 Q. And no other interactions with

7 any other law enforcement?

8 A. (Witness shakes head

9 negatively.)

10 Q. Is that a no?

11 A. Yes. I mean, yes.

12 MR. HARP: Yes, it's a no?

13 A. Yes, it's a no.

14 Q. And any other interactions with

15 paramedic type people?

16 A. No.

17 Q. Uniformed type people?

18 A. No.

19 Q. There are a couple of names I

20 want to ask you about, and then I think I will

21 be about -- I'm going to ask you about some

22 names, and I want to know if you know them and

23 what you think they might know about your

Page 127

1 case. Sometimes these don't come from you.

2 They come from -- anyway --

3 MR. HARP: Objection.

4 Q. Or these may have come from your

5 mom, but whatever.

6 [REDACTED]. Do you know who

7 that is?

8 A. Yes.

9 Q. Who is she?

10 A. She was the lady's house I was

11 at when I got hit by the car.

12 Q. Okay. Do you know whether she

13 knows anything about this incident?

14 A. No.

15 Q. Have you talked to her about

16 this incident?

17 A. No, I don't talk to her.

18 Q. The same question with [REDACTED]

19 [REDACTED]?

20 A. That's one of the little girls.

21 I don't associate with them.

22 Q. Hold on a second.

23 MR. HARP: I think you've got

Page 128

1 the wrong case there.

2 Q. Here's my list there. How old

3 is [REDACTED] now?

4 A. 16.

5 Q. [REDACTED] is 16. Okay. Well,

6 she would be a minor. She'll be DH.

7 What do you believe that she

8 knows about what happened that night?

9 MR. HARP: Object to the form.

10 A. Besides what she saw?

11 Q. It was [REDACTED] that was --

12 A. Standing there the whole time?

13 Q. Yeah. Has she told you what she

14 saw?

15 A. No. We have not really sat down

16 and discussed it.

17 Q. Was it [REDACTED] that was --

18 A. Holding me.

19 Q. -- next to you when you first

20 came to?

21 A. Yes.

22 Q. And do you know whether she saw

23 the -- like when the officers were holding you

Page 129

1 down?

2 A. Yes, she saw it.

3 Q. Do you know whether she saw your  
4 mother get tased?

5 A. I don't -- I'm not sure.

6 Q. Do you know whether she saw you  
7 get tased?

8 A. Yes.

9 Q. [REDACTED]; do you know  
10 her?

11 A. Uh-huh (indicating yes).

12 MR. HARP: Is that a yes?

13 A. Yes.

14 Q. Who is that?

15 A. We went to the same school.

16 Q. What is it that she knows about  
17 the facts of this case?

18 MR. HARP: Object to the form.

19 A. I have no idea. I don't talk to  
20 her about that.

21 MR. HARP: Just answer his  
22 questions, okay?

23 Q. Have you spoken to [REDACTED]

Page 131

1 Q. [REDACTED]? Do you know who  
2 that is?

3 A. No.

4 Q. [REDACTED]? Do you know [REDACTED]?

5 A. I think so.

6 Q. If you -- if it's who you think  
7 it is, how do you know her?

8 A. Say that one more time?

9 Q. You said you think so.

10 A. I know a family of Dills. I

11 know lots of people but I don't like know  
12 them.

13 Q. Okay. But you hadn't spoken  
14 with her about this accident?

15 A. No.

16 Q. Incident?

17 A. No.

18 Q. And neither spoken to [REDACTED]

19 [REDACTED] or [REDACTED] about this incident?

20 A. No.

21 Q. [REDACTED]? Do you know that  
22 name?

23 A. Uh-uh (indicating no), no.

Page 130

1 [REDACTED] about the events concerning this  
2 incident?

3 A. No.

4 Q. So I guess the best way to ask  
5 this: If she knows something about this  
6 incident, you didn't know what it is, correct?

7 A. Correct.

8 Q. Is that a student? Is she a --

9 A. She's a little bit younger than  
10 me.

11 Q. Does she go to Southside?

12 A. I'm not sure now. I don't know  
13 where she goes now.

14 Q. Do you know where she was going  
15 at the time?

16 A. I think she was in middle  
17 school.

18 Q. [REDACTED]? Do you know who  
19 that is?

20 A. (Witness shakes head  
21 negatively.)

22 Q. No?

23 A. No.

Page 132

1 Q. This says [REDACTED]. Do you  
2 know who that is?

3 A. Yes.

4 Q. Who is that?

5 A. A friend of my mother's.

6 Q. Do you know what if anything he  
7 knows about this incident?

8 MR. HARP: Object to the form.

9 A. Other than he seen, I don't  
10 know.

11 Q. Do you know what it is he saw?

12 MR. HARP: Object to the form.

13 A. No.

14 Q. Do you know who [REDACTED] is?

15 A. Yes.

16 Q. Who is she?

17 A. My best friend.

18 Q. Was she present that night?

19 A. Yes.

20 Q. Has she told you what she saw?

21 A. Yes, we have discussed it.

22 Q. What did she tell you that she  
23 saw?

Page 133

1 A. Me getting tased. She was in  
2 the crowd so I guess just her view of the  
3 crowd, pretty much just what she saw.  
4 Q. Is Vicki Abstin her mother?  
5 A. It's her grandmother.  
6 Q. Do you know who [REDACTED]  
7 is? No, no. Wrong question. You don't know  
8 [REDACTED], do you?  
9 A. No.  
10 Q. Do you know who [REDACTED]  
11 is?  
12 A. No. I have heard the name, I  
13 think.  
14 Q. Do you now who [REDACTED] is?  
15 A. No.  
16 Q. If it says care of [REDACTED]  
17 [REDACTED], does that ring --  
18 A. [REDACTED]?  
19 Q. [REDACTED].  
20 A. Yeah, I know who you are talking  
21 about?  
22 Q. Who is that?  
23 A. It's one of my little sister's.

Page 134

1 friend's mom. No, it's not --  
2 Q. Is the friend that she's the mom  
3 of [REDACTED]?  
4 A. [REDACTED]. Her name is [REDACTED]  
5 MR. HARP: Who's name is  
6 [REDACTED]?  
7 THE WITNESS: [REDACTED]'s mom.  
8 Q. Whose mom?  
9 A. [REDACTED]. That's my sister's  
10 friend.  
11 MR. HARP: Not like the store,  
12 [REDACTED].  
13 A. Her mom's name is Princess.  
14 Q. You say it like the store.  
15 A. I don't know.  
16 Q. TDH, you know her as [REDACTED]?  
17 A. Maybe her and her mom have the  
18 same name.  
19 Q. In any event, with either one of  
20 them, do you know what it is they saw?  
21 MR. HARP: Object to the form.  
22 A. No.  
23 Q. If anything?

Page 135

1 Have you spoken with either one  
2 about this incident?  
3 A. No.  
4 Q. Do you know who [REDACTED]  
5 is?  
6 A. Yes.  
7 Q. Who is that?  
8 A. He's actually a -- I went to  
9 school with him.  
10 Q. Have you spoken to him about  
11 this incident?  
12 A. No.  
13 Q. Do you know if he was present?  
14 A. Yes, he was there.  
15 Q. How do you know?  
16 A. Because I remember seeing him  
17 that night.  
18 Q. [REDACTED]?  
19 A. That's my sister.  
20 Q. Oh, [REDACTED] is [REDACTED]?  
21 A. Yes.  
22 Q. Okay. Was she present that  
23 night?

Page 136

1 A. No.  
2 Q. [REDACTED] is your brother,  
3 right?  
4 A. Yes.  
5 Q. Do you have any idea why Buford,  
6 Georgia, might be suggested as where he is?  
7 MR. HARP: Was, at the time that  
8 was written.  
9 Q. Yeah.  
10 A. No.  
11 Q. Was [REDACTED] present?  
12 A. No, not at the concert.  
13 Q. Was he present at all around you  
14 that evening?  
15 A. I think he kissed my cheek  
16 before I went to school.  
17 Q. Okay. In the morning?  
18 A. Yeah.  
19 Q. Do you know who was -- I know  
20 your mom came to the scene. We know she is in  
21 this lawsuit.  
22 Who did you see at home after  
23 all this was over?

Page 137

1 A. I didn't go home.  
 2 Q. Where did you do?  
 3 A. To [REDACTED]'s dad's house.  
 4 Q. Okay. Who did you see at [REDACTED]'s  
 5 dad's house?  
 6 A. Her dad.  
 7 Q. And [REDACTED]?  
 8 A. Yes.  
 9 Q. Obviously. Who is her dad?  
 10 A. Dan Fells.  
 11 Q. Dan Fells?  
 12 A. He just passed away.  
 13 Q. Was [REDACTED] present at all on  
 14 this evening?  
 15 A. No.  
 16 Q. Do you know anybody else, TDH,  
 17 that we haven't talked about who you believe  
 18 knows what happened that night?  
 19 MR. HARP: Object to the form.  
 20 A. There was a lot of people there  
 21 that night.  
 22 Q. Sure. Do you know the names of  
 23 anybody -- well, do you know anyone that you

Page 138

1 have spoken with about this?  
 2 A. No.  
 3 Q. Who saw it?  
 4 A. No.  
 5 Q. Other than who we have talked  
 6 about?  
 7 A. No, I don't speak on it.  
 8 Q. Well, sometimes people speak to  
 9 you?  
 10 A. Doesn't mean I speak back.  
 11 Q. I understand. Are there any  
 12 other mental or emotional effects stemming  
 13 from this incident that you haven't already  
 14 talked about?  
 15 MR. HARP: Object to the form of  
 16 the question.  
 17 A. I'm confused.  
 18 Q. Anything else that -- anything  
 19 else that this incident has caused you to  
 20 suffer, either emotionally or mentally, that  
 21 you haven't already talked about?  
 22 A. I mean, if I've not already  
 23 talked about it -- I mean, it's just -- it's

Page 139

1 changed me, you know what I'm saying, in a bad  
 2 way.  
 3 Q. Okay.  
 4 A. I mean, I wouldn't say a bad way  
 5 because, like I said earlier, I let it make  
 6 me, not break me. But it's changed my  
 7 perspective on a lot of things, and it's just  
 8 changed me as a person, my soul, my spirit.  
 9 It's sad just because I feel like I had to  
 10 grow up, literally, because I can't -- I don't  
 11 find joy in a lot of things anymore, for  
 12 myself either. I quit working out. I quit  
 13 everything I used to do.  
 14 Q. Where did you used to work out?  
 15 A. Absolute.  
 16 Q. What kind of working out?  
 17 A. Hard core, cardio.  
 18 Q. Zumba?  
 19 A. I'm an athlete, so I work out.  
 20 MR. HARP: Zumba as being --  
 21 MR. HOWARD: I know some zumba  
 22 teachers down there.  
 23 A. I did do zumba a couple of

Page 140

1 times, yeah.  
 2 Q. So you had been doing that  
 3 before this incident?  
 4 A. Doing what?  
 5 Q. Working out, hard core?  
 6 A. I'm an athlete. I've been --  
 7 that's pretty much my whole life. I'm  
 8 involved in -- I don't know. I have always --  
 9 I don't know.  
 10 Q. But you have found yourself not  
 11 doing that since this incident?  
 12 A. Yes.  
 13 MR. HOWARD: If I have anything  
 14 left, it's minor. This will be a great place.  
 15 I will pass the witness to these guys.  
 16 MR. HARP: Do you guys mind if  
 17 we take a lunch break before we start?  
 18 MR. STUBBS: No.  
 19 (Whereupon, a brief lunch recess  
 20 was taken.)  
 21  
 22 EXAMINATION  
 23 BY MR. STUBBS:

Page 141

1 Q. TDH, I'm David Stubbs. I  
2 represent numerous officers who are named  
3 defendants in this lawsuit.

4 You have already been asked a  
5 lot of questions. I won't be near as long,  
6 but I do have some follow-ups, if you don't  
7 mind.

8 One thing I always ask is that  
9 do you realize you are under oath here today  
10 just like we were in court?

11 A. Yes, sir.

12 Q. To tell the truth. If at any  
13 time I ask you a question and you don't  
14 understand the question, will you please tell  
15 me so I can repeat? Is that fair?

16 A. Yes, sir.

17 Q. My questions are going to be  
18 random because I'm covering some gaps and  
19 things I had in my mind. So they probably  
20 will not be consistently to the theme, but I  
21 will try to go through it.

22 A. Right.

23 Q. As to your academic background,

Page 142

1 have you ever been suspended from school for  
2 anything?

3 A. I think in middle school for a  
4 cell phone.

5 Q. For having a cell phone?

6 A. I think so.

7 Q. Which school would that have  
8 been?

9 A. Rainbow Middle.

10 Q. All right. I'm not from here in  
11 Etowah County. I know you mentioned -- I  
12 think I'm correct. Was it Southside  
13 Elementary?

14 A. Uh-huh (indicating yes), yes.

15 Q. And Rainbow Middle?

16 A. Yes.

17 Q. And then Southside High School?

18 A. Yes.

19 Q. Is that common? Is that the  
20 normal progression?

21 A. Yeah. It's like Rainbow Middle  
22 is kids who live in Southside and Rainbow  
23 City. Southside Elementary, I don't think you

Page 143

1 can go there if you live in Rainbow City. I'm  
2 not real sure how the district stuff works.

3 Q. So in middle school, do you  
4 recall what year -- what grade you would have  
5 been in at the time you were suspended for  
6 having a cell phone?

7 A. I'd say sixth or seventh. I'm  
8 not real sure. It was a long time ago. If  
9 anything, if I was suspended, I know it was  
10 for a cell phone, but it was -- I would say  
11 seventh grade, yeah.

12 Q. Was it your cell phone that you  
13 had or someone else's?

14 A. I'm not sure.

15 Q. I mean, do you recall having  
16 your own cell phone in seventh grade?

17 A. No. It was probably like an  
18 iPad or something.

19 Q. Do you recall any other time  
20 where you have been suspended from school?

21 A. No.

22 Q. Have you ever been expelled from  
23 a school?

Page 144

1 A. No.

2 Q. You testified earlier that after  
3 this incident in January 2015 you went back to  
4 school at Southside High for one day and then  
5 didn't go back. Did I understand that  
6 correctly?

7 A. Yes.

8 Q. That particular year, was that  
9 your junior year?

10 A. Yes.

11 Q. How were your grades that year?  
12 How were you doing academically?

13 A. I was passing.

14 Q. Were you in trouble in any of  
15 your courses of possibly failing?

16 A. Math, I think I was just having  
17 trouble, but I had a tutor. I just -- she  
18 wasn't like a tutor, but it was just a girl  
19 who had a different class to go help me. But  
20 it was just because I didn't -- I don't think  
21 I failed that class.

22 Q. Do you recall the name of your  
23 tutor, your math tutor?

Page 145

1 A. [REDACTED] -- that's all I remember,  
 2 is a girl named [REDACTED]. She was on my soccer  
 3 team. She was really, really nice.  
 4 Q. She was a fellow student that  
 5 tutored math?  
 6 A. Yeah. She would help kids out,  
 7 pretty much there.  
 8 Q. Not wanting to bring up bad  
 9 memories. I don't know if you do remember  
 10 when your dad passed. You said you were  
 11 three. Do you have any memory of that?  
 12 A. No.  
 13 Q. Since the time that your dad  
 14 passed, has your mom ever remarried?  
 15 A. I don't think so.  
 16 Q. Has your mom ever had someone  
 17 living in the house with her when you lived  
 18 with her, another man?  
 19 A. No.  
 20 Q. So since the time you were three  
 21 years old, your mom has never had a boyfriend  
 22 live in the house with you and your mom and  
 23 sisters or brother?

Page 146

1 A. No.  
 2 Q. All right. TDH, you mentioned  
 3 that at some point in time you were going to  
 4 move to Albertville with a roommate, with a  
 5 friend of yours; is that correct?  
 6 A. Yes.  
 7 Q. How old were you at that time?  
 8 A. That was just this year. So I  
 9 guess I was 18. It was like in January.  
 10 Q. Okay. And did you ever complete  
 11 the process of moving to Albertville?  
 12 A. No. I -- it was like I had the  
 13 money to do it but she didn't, like she wasn't  
 14 working at all so we couldn't -- we just  
 15 couldn't get it in time.  
 16 Q. What's the name of your friend?  
 17 A. [REDACTED].  
 18 Q. The one that you were talking  
 19 about earlier, your best friend?  
 20 A. No. That's [REDACTED].  
 21 Q. I'm sorry. [REDACTED] --  
 22 A. [REDACTED].  
 23 Q. What's her last name?

Page 147

1 A. [REDACTED].  
 2 Q. Where does [REDACTED] live now?  
 3 A. She still stays with her mom,  
 4 I'm pretty sure, in Albertville.  
 5 Q. Do you know where she works?  
 6 A. She don't have a job still.  
 7 Q. Is she still a friend of yours?  
 8 A. Not really. I really don't --  
 9 we don't talk no more.  
 10 Q. As we sit here today, in June of  
 11 2016, who would you say is your best friend?  
 12 A. My mom.  
 13 Q. All right. Other than your mom?  
 14 MR. HARP: Object to the form.  
 15 Q. In addition to your mom being  
 16 your friend, do you have anyone else you  
 17 consider to be an extremely good friend?  
 18 A. My siblings. But other than  
 19 that, no.  
 20 Q. Other than your family members,  
 21 do you consider anyone else to be a good  
 22 friend?  
 23 A. No.

Page 148

1 Q. As we sit here in June of 2016?  
 2 A. No.  
 3 Q. Regarding your previous accident  
 4 when you were struck by a vehicle -- I think  
 5 that was 2012?  
 6 A. Yes.  
 7 Q. All right. Which attorney  
 8 represented you in that accident, or your mom?  
 9 Do you know?  
 10 A. In the --  
 11 Q. In that lawsuit concerning the  
 12 car wreck.  
 13 A. Gina Coggin. I think that's her  
 14 name.  
 15 Q. Mr. Howard was asking you  
 16 earlier about that lawsuit. Do you recall if  
 17 that case settled?  
 18 A. I'm not sure.  
 19 Q. No one has ever discussed with  
 20 you that any money was paid to you or on your  
 21 behalf as a result of that case?  
 22 MR. HARP: Just so the record  
 23 is -- Gina Coggin originally represented TDH

Page 149

1 in that car wreck. Subsequently, Gina Coggin  
 2 has been replaced by myself and Moses Stone.  
 3 The lawsuit settled last year. The terms are  
 4 confidential. And any information that is  
 5 available to the public is on Alacourt. That  
 6 will short-circuit these questions.  
 7 MR. STUBBS: It will. That  
 8 explains a lot, because I figured there was a  
 9 pro ami settlement.  
 10 MR. HARP: There is.  
 11 Q. (By Mr. Stubbs) As far as this  
 12 particular lawsuit that we are here about  
 13 today, I know you have two very reputable  
 14 attorneys representing you.  
 15 Have you discussed this incident  
 16 with any other attorneys?  
 17 A. No.  
 18 MR. STUBBS: Let's go off the  
 19 record for a moment.  
 20 (Whereupon, a discussion was  
 21 held off the record.)  
 22 Q. (By Mr. Stubbs) Mr. Howard was  
 23 asking you earlier about traumatic events that

Page 150

1 you may have experienced prior to the January  
 2 16, 2015, incident. And you mentioned having  
 3 been hit by a car, correct? Do you remember  
 4 that?  
 5 A. Yes.  
 6 Q. Anything else in your past,  
 7 prior to January 16th of 2015, that you  
 8 consider to have been a traumatic event in  
 9 your life?  
 10 A. Besides my father passing away,  
 11 nothing.  
 12 Q. Did you ever see a physician  
 13 prior to January the 16th, 2015, concerning  
 14 any emotional problems you were having or  
 15 experiencing?  
 16 A. I never went and followed  
 17 through. I never really liked waiting or  
 18 seeing one. I may have made appointments and  
 19 stuff, but I never went.  
 20 Q. TDH, do you have what I would  
 21 consider to be a family physician, somebody  
 22 you see routinely for your normal aches and  
 23 pains in life?

Page 151

1 A. Yeah. I kind of talk to him  
 2 like a therapist. Dr. Kelly at Cherokee  
 3 Health Clinic. I think it's called Cherokee  
 4 Health Clinic?  
 5 Q. Do you know Dr. Kelly's first  
 6 name?  
 7 A. Jason.  
 8 Q. When do you first recall  
 9 speaking or being treated by Dr. Jason Kelly?  
 10 A. After this incident.  
 11 Q. Never before -- never had seen  
 12 Dr. Jason Kelly before this incident that  
 13 occurred in January of 2015?  
 14 A. I don't think so. I think -- he  
 15 was my little sister's doctor at first, and we  
 16 just kind of like got into it.  
 17 Q. What about any other therapist?  
 18 Did you see any other therapist prior to  
 19 January 16, 2015?  
 20 A. That was before, right?  
 21 Q. Correct.  
 22 A. A couple, but it wasn't about --  
 23 it was before this.

Page 152

1 Q. What were -- what type of  
 2 problems or issues were you having that led  
 3 you to speak to the therapist?  
 4 MR. HARP: Object to the form.  
 5 A. Nightmares, anxiety. Just like  
 6 pretty much that, yeah.  
 7 Q. Do you know the source or did  
 8 anyone ever determine from a medical or  
 9 clinical point what was the cause of your  
 10 nightmares and anxiety?  
 11 A. PTSD is what she would say.  
 12 Q. Post traumatic stress disorder?  
 13 A. (Witness nods head  
 14 affirmatively.)  
 15 Q. Do you know what particular  
 16 traumatic event they were discussing? Was it  
 17 after your car wreck?  
 18 A. Yes.  
 19 Q. I keep calling it car wreck.  
 20 Car/pedestrian accident?  
 21 A. Yes.  
 22 Q. Any time before that  
 23 car/pedestrian accident did you see a

Page 153

1 therapist?

2 A. I don't think so. No, I didn't.

3 Q. The nightmares that you were

4 experiencing prior to January 2016, were they

5 related to the car accident?

6 A. I'm sorry. Repeat that one more

7 time. It was a little fast.

8 Q. Sure, sure. The nightmares you

9 were experiencing prior to January 2016, were

10 those nightmares related to the car accident?

11 A. Yes.

12 Q. Anything else?

13 A. No.

14 Q. Do you recall the names of any

15 other therapists or physicians at Cherokee --

16 you said Cherokee --

17 A. Health Clinic.

18 Q. Health Clinic that you may have

19 seen?

20 A. No. That was the only one.

21 Jason is the only person.

22 Q. I may have misunderstood you. I

23 don't want to confuse you.

Page 154

1 Other than seeing Dr. Jason

2 Kelly at Cherokee Clinic, did you see any

3 other physicians there at Cherokee Clinic?

4 A. No.

5 Q. Prior to January of 2015, did

6 you see any other therapist? Were you treated

7 by any other therapist?

8 A. Yes.

9 Q. Who was the therapist?

10 A. It was at Atlanta -- Atlanta --

11 I forgot what it's called. Her name was

12 Stephanie, though. I only saw her one time.

13 Q. Do you recall --

14 A. The doctor only came once a

15 month, and I like was wanting to see somebody

16 like more than once a month, you know.

17 Q. Were you ever able to see

18 another physician more than once a month?

19 A. No.

20 Q. Other than -- was this -- was

21 Stephanie a physician to your knowledge?

22 A. She was like his assistant or

23 something. Like when I made the appointment.

Page 155

1 I went in there. I talked to her. And she

2 was saying that he was the person I would be

3 seeing but he only comes once a month. And I

4 didn't -- I was trying to be a little bit more

5 consistent -- persistent or whatever.

6 Q. Do you recall what facility that

7 was in Atlanta?

8 A. It's called CED or something.

9 MR. HARP: That's the name,

10 CED --

11 MR. HOWARD: It's probably CED

12 Mental Health Center out on -- out towards

13 East Gadsden, towards Hokes Bluff.

14 MR. HARP: Stephanie Huey.

15 THE WITNESS: Stephanie Huey.

16 That's it.

17 Q. (By Mr. Stubbs) Other than

18 having spoken to Stephanie Huey in Atlanta and

19 Dr. Jason Kelly in Cherokee --

20 A. Stephanie Huey was in Anniston.

21 Sorry.

22 Q. Okay. Other than speaking with

23 Stephanie Huey in Anniston and Dr. Jason Kelly

Page 156

1 in Cherokee County, have you ever spoken with

2 any other therapists?

3 A. No.

4 Q. After January -- after the

5 incident we are here about, after January of

6 2015, have you seen a therapist?

7 A. No, not besides Dr. Kelly.

8 Q. How many times have you seen

9 Dr. Jason Kelly since January 2015?

10 A. I'd say six times.

11 Q. When was the last time you have

12 seen him?

13 A. Before -- probably last summer.

14 Q. The summer of 2015?

15 A. Yes.

16 Q. Did he end up releasing you from

17 his care, or do you know?

18 A. I just never went back for a

19 follow-up.

20 Q. Have you seen any other

21 therapist since the last time you saw

22 Dr. Jason Kelly?

23 A. No.

Page 157

1 Q. I ask these questions of  
2 everybody so do not be offended.  
3 I notice you have a tattoo on  
4 your right arm. What is the tattoo? What  
5 does it say?  
6 A. It's my dead father.  
7 Q. It says Daniel?  
8 A. Yes.  
9 Q. What kind of design?  
10 A. It's praying hands with a dove.  
11 Q. When did you get that tattoo?  
12 A. Two months ago.  
13 Q. All right. Which tattoo artist  
14 did the work?  
15 A. Logan Patty.  
16 Q. I'm sorry?  
17 A. Logan Patty.  
18 Q. Logan Patty? Where does Logan  
19 work?  
20 THE WITNESS: Do you want to see  
21 it?  
22 MR. HOWARD: I'm trying to see  
23 it. Just hold on a second. Okay. I see the

Page 158

1 hand. I was trying to figure out the hand.  
2 THE WITNESS: I've got to get it  
3 touched up but --  
4 A. He works for Jeremy.  
5 Q. Do you know where his business  
6 is located?  
7 A. I went to a house.  
8 Q. He works out of a house?  
9 A. He used to work in a shop, but I  
10 went to his house.  
11 Q. Do you have any other tattoos  
12 other than that one on your right arm?  
13 A. On my shoulder. It's spera in  
14 deo. It means -- it's Latin. Hope in God in  
15 latin.  
16 Q. When did you get that tattoo?  
17 A. Three years ago.  
18 Q. Was it before this incident?  
19 A. Before.  
20 Q. Do you recall the tattoo artist  
21 that did that?  
22 A. It was Jeremy. The same guy.  
23 Q. Any other tattoos?

Page 159

1 A. No.  
2 Q. Prior to January the 16th of  
3 2015, have you ever been hospitalized  
4 overnight? Ever had to stay in the hospital  
5 overnight?  
6 A. No.  
7 Q. Prior to January 16 of 2015,  
8 have you ever been transported by ambulance to  
9 a hospital?  
10 A. Besides Children's, when I had  
11 one seizure before the concert. The first one  
12 I had before, like the one right before.  
13 Q. Make sure I understand. The day  
14 -- before you went to the concert on January  
15 16, 2015, you had been in the hospital?  
16 A. That wasn't the day before. It  
17 was the seizure -- like I had a seizure that  
18 night and then the seizure I had before that,  
19 like the incident before. Like a month -- it  
20 was like a month or two.  
21 Q. I remember you talking about the  
22 seizure you had -- Ed was asking you was it  
23 around Thanksgiving or Christmas?

Page 160

1 A. Yes.  
2 Q. Where were you when that seizure  
3 happened?  
4 A. I was actually walking down the  
5 road.  
6 Q. Okay. And then was anyone with  
7 you?  
8 A. No. I was -- somebody found me.  
9 I was right beside my house on Palace Avenue.  
10 One of my neighbors found me.  
11 Q. Do you know the name of your  
12 neighbor who found you?  
13 A. No.  
14 Q. All right. Do you recall being  
15 transported by an ambulance to the hospital on  
16 that occasion?  
17 A. Yes.  
18 Q. Which hospital?  
19 A. Children's.  
20 Q. In Birmingham?  
21 A. Yes.  
22 Q. I know you testified earlier you  
23 can't remember exactly when that was but you

Page 161

1 felt like it was in the fall of 2014?

2 A. Yes.

3 Q. What did they do for you when

4 you arrived at Children's Hospital after that

5 seizure in the fall of 2014?

6 A. They ran a test on my heart and

7 then -- a similar test. I'm not sure what

8 they're called. I'm not real sure. I think I

9 had a follow-up with Dr. Bogdanova at Gadsden

10 Regional.

11 Q. Bogdanova?

12 A. Yes, Bogdanova.

13 Q. I will try to lay down a time

14 line here.

15 Do you know how old you were

16 when you had your first seizure?

17 A. 16.

18 Q. And that was following the

19 car/pedestrian accident?

20 A. (Witness nods head

21 affirmatively.)

22 Q. Correct?

23 A. Yes.

Page 162

1 Q. So the best of your memory, you

2 were around 16 when you had your first

3 seizure.

4 Where did you get taken -- who

5 was the first doctor that treated you related

6 to seizures?

7 A. I don't remember.

8 Q. At what point in time did you

9 start seeing Dr. Russell?

10 A. Right before -- it was like the

11 end of 2014. A little before, maybe like

12 right before my birthday.

13 Q. Do you recall where you were or

14 what you were doing when you had your very

15 first seizure?

16 A. I think I was at my mom's

17 friend's house at a barbecue.

18 Q. Do you know the name of your

19 mom's friend?

20 A. No.

21 Q. Male friend or female friend?

22 A. Female. I think it was Leslie.

23 Q. If you were at Leslie's house --

Page 163

2 to the best of your memory -- I know we are

2 taking you back a few years.

3 To the best your memory you're

4 at your mom's friend's house when you had your

5 very first seizure; is that fair? When you

6 were 16 years old?

7 A. I don't know. I don't think so.

8 Q. Okay.

9 A. I just don't want to -- I mean,

10 it's just a lot, I don't know.

11 Q. You just don't recall when you

12 had your first seizure?

13 A. I do. I just don't want to say

14 the wrong thing.

15 Q. I understand that. I appreciate

16 you wanting to tell the truth, absolutely.

17 A. It's a lot.

18 Q. This is not a question. I'm

19 going to lead up to my question.

20 I would think your very first

21 seizure is something that was traumatic?

22 A. Yeah.

23 Q. You didn't know what was going

Page 164

1 on?

2 A. Right.

3 Q. Is that fair?

4 A. (Witness nods head

5 affirmatively.)

6 Q. Because you had never

7 experienced a seizure before. So when you had

8 one the first time, was it traumatic?

9 A. Yeah. It was very scary.

10 Q. Do you recall where you were?

11 A. But I had 12 seizures within --

12 I think nine within like five months.

13 MR. HARP: Do you recall where

14 you were when you had your first one?

15 THE WITNESS: I think I was at

16 Leslie's house, but I'm not sure which one it

17 was.

18 MR. HARP: That's the best you

19 can do.

20 Q. Whenever or wherever you were

21 when that first seizure occurred, did you get

22 taken to the hospital?

23 A. No.

Page 165

1 Q. Do you know if your mom was with  
2 you at the time you had your first seizure?  
3 A. She came.  
4 Q. Were you taken to a doctor?  
5 A. No, I didn't go to see a doctor  
6 until like one of my last ones.  
7 Q. What do you mean by that? How  
8 many seizures had you had before --  
9 A. I don't remember.  
10 Q. You mentioned about having nine  
11 seizures within a short period of time, three  
12 months?  
13 A. Yeah.  
14 Q. Did you go see a doctor during  
15 any of those first nine seizures?  
16 A. Yeah, Bogdanova.  
17 Q. The neurologist in Gadsden you  
18 think is the first -- you think that's the  
19 first neurologist you saw?  
20 A. I think that was the first  
21 neurologist I have seen. I don't know how  
22 many doctors I have seen. I have seen a lot  
23 of doctors.

Page 166

1 Q. I may have interrupted you  
2 earlier, and I apologize. Who is your regular  
3 family physician?  
4 A. Dr. Jason Kelley.  
5 Q. Is he a general practitioner,  
6 Dr. Jason Kelly, or is he a psychologist or --  
7 A. He's my pediatrician.  
8 Q. Okay.  
9 A. But I talk to him like -- like I  
10 was trying to say earlier, I talk to him like  
11 he's my therapist.  
12 Q. So most everyone has somebody  
13 they say this is the doctor I go to most  
14 frequently if I have a cold or whatever.  
15 A. That's pretty much what he is.  
16 Q. Dr. Jason Kelly?  
17 A. Yeah.  
18 Q. Is he still practicing in  
19 Cherokee?  
20 A. I'm pretty sure.  
21 Q. Do you think the last time you  
22 saw him was last summer?  
23 A. Yes.

Page 167

1 Q. The summer of 2015.  
2 When prescriptions would be  
3 given to you for any reason, would your mom  
4 normally get those prescriptions filled at a  
5 certain pharmacy?  
6 A. I have went to different ones.  
7 I'm not sure.  
8 Q. Do you recall the names of any  
9 of the pharmacies where you have had  
10 prescriptions filled or somebody had  
11 prescriptions filled for you?  
12 A. I don't recall.  
13 Q. You testified earlier about  
14 Dr. Russell having prescribed Topamax for you;  
15 is that correct?  
16 A. (Witness nods head  
17 affirmatively.)  
18 Q. Do you know where you had that  
19 prescription filled?  
20 A. I think I have been to Walmart  
21 before.  
22 Q. Which one?  
23 A. Or Walgreens.

Page 168

1 Q. Do you know which Walgreens or  
2 which Walmart?  
3 A. I went to both, East Gadsden and  
4 Attalla.  
5 Q. Okay. How many times did you  
6 take Topamax before you came to the conclusion  
7 it just didn't work for you?  
8 MR. HARP: Object to the form.  
9 Q. I will rephrase that. It was a  
10 bad question.  
11 I believe you testified earlier  
12 it made you feel like a zombie?  
13 A. I had took it maybe like a month  
14 or two, three months maybe.  
15 Q. During the time you were taking  
16 it, did you have a seizure?  
17 A. No.  
18 Q. Do you know Dr. Russell's first  
19 name by chance?  
20 A. No. I would have known if you  
21 didn't ask me.  
22 Q. Out of the physicians you have  
23 seen or been treated by regarding your seizure

<p style="text-align: right;">Page 169</p> <p>1 activity, have any of those physicians ever 2 told you to stay away from flashing lights or 3 bright lights? 4 A. Yes. 5 Q. Who told you that? 6 A. Bogdanova. 7 Q. Has anybody else, any other 8 physician ever told you to stay away from 9 bright lights? 10 A. No. 11 Q. Do you have any count as to how 12 many seizures you have actually had in your 13 lifetime? 14 A. No. 15 Q. More than 20? 16 A. No. It's less than 20. 17 Q. All right. Less than 15? 18 A. If I was to think right now, I 19 can't, no. 20 Q. Has your mom ever asked you to 21 move out of her home? 22 A. No. 23 Q. I'll ask you another way. Has</p>	<p style="text-align: right;">Page 171</p> <p>1 was after. It was this year. 2 Q. When? 3 A. March. 4 Q. March of 2016 you were pulled 5 over for a traffic stop? 6 A. I think it was April, maybe. 7 Maybe April, one in there. 8 Q. Sometime the spring of this 9 year? 10 A. Yes. 11 Q. Which municipality or county 12 pulled you over? 13 A. Attalla. 14 Q. Attalla? Why were you told you 15 were pulled over? 16 A. I was speeding. 17 Q. Did you get a speeding ticket? 18 A. Yes. 19 Q. Was the Attalla police officer 20 nice to you? 21 A. Yes. 22 Q. Did you have any problems at all 23 when that officer pulled you over?</p>
<p style="text-align: right;">Page 170</p> <p>1 she ever told you to leave her home? 2 MR. HARP: Object to the form. 3 A. No. 4 Q. Prior to January 16th of 2015, 5 had you ever had any encounters with police 6 officers? 7 MR. HARP: Object to the form. 8 A. I was never arrested. 9 Q. I will break it down. Prior to 10 January of 2015 had you ever been stopped by a 11 police officer while driving a vehicle or 12 being a passenger in a vehicle? 13 A. Yes. 14 MR. HARP: That's compound, 15 driving or passenger? 16 MR. STUBBS: I'll break it down. 17 A. Never driving. 18 Q. That's a good way to sum it all 19 up. 20 Have you ever been pulled over 21 by a police officer for a traffic violation 22 when you were driving? 23 A. No. Oh, I have actually, but it</p>	<p style="text-align: right;">Page 172</p> <p>1 A. No, none at all. 2 Q. Did you pay a fine? 3 A. Yes. 4 Q. Is that the only time in your 5 life you have ever been pulled over as a 6 driver of the vehicle by a police officer? 7 A. Yes. 8 Q. You mentioned to Mr. Howard 9 earlier about having been a passenger in a 10 vehicle that was pulled over by a Gadsden 11 police officer. Was that this year as well? 12 A. No. That was last year. 13 Q. 2015? And was that officer nice 14 to you? 15 A. The one who pulled us over, yes. 16 Q. Any problems with that stop? 17 A. No. 18 Q. Are there any other times that 19 you have been in a vehicle as a passenger 20 where the driver of that vehicle was pulled 21 over by a police officer? 22 A. Say that one more time. 23 Q. This was a bad question.</p>

Page 173

1 A. Yeah.

2 Q. You mentioned being a passenger

3 in a vehicle last year when the driver was

4 pulled over by a Gadsden police officer.

5 Are there any other occasions

6 where you have been a passenger and the car in

7 which you were riding was pulled over?

8 A. Yes.

9 Q. Tell me about that.

10 A. It's happened a couple of times,

11 but it's never been trouble.

12 Q. Just tell me what happened,

13 where you were and what happened.

14 A. A couple years back I was in

15 front of a -- I was in a car with my friend

16 named [REDACTED], and he didn't have a tag light so

17 we got pulled over.

18 Q. Did he get a ticket?

19 A. I think he let us go.

20 Q. Do you know which municipality

21 or county?

22 A. I think it was Southside.

23 Q. Southside? Did anything

Page 174

1 happen -- was that after the incident --

2 A. This was a long time ago.

3 Q. Are there any others besides

4 when you were riding with [REDACTED]?

5 A. No.

6 Q. What's [REDACTED]'s last name?

7 A. I really don't know. It starts

8 with a K. It's a very weird last name.

9 Q. Have you ever been pregnant?

10 A. No.

11 Q. Have you ever been arrested for

12 anything?

13 A. No.

14 Q. I was asking you about

15 encounters you have had with police officers.

16 I narrowed that down to how many times you

17 have been pulled over or been in a car that

18 was pulled over by a police officer.

19 Have you had any other

20 encounters with police officers where they

21 have been called to a scene where you were

22 located?

23 A. I have never had no problems

Page 175

1 with police officers besides that night.

2 Q. I'm not saying problems. Have

3 you ever had an encounter where you have been

4 in a location where the police have been

5 called to come and respond to a call?

6 MR. HARP: Object to the form.

7 Q. In other words, at your house,

8 where you have ever lived? Have police

9 officers ever had to come to your house for

10 any reason?

11 A. Yes.

12 Q. Tell me about those times.

13 A. It was when me and my sister got

14 in an argument.

15 Q. Which sister?

16 A. Mariah.

17 Q. Who made the call to the police?

18 A. My mother.

19 Q. When did that happen?

20 A. 2012, 2013.

21 Q. Before the concert?

22 A. Yes.

23 Q. Is that the only time the police

Page 176

1 have ever had to come to your house to respond

2 to a call?

3 A. Yes.

4 Q. What happened when they came?

5 A. My mom just got them to tell us

6 how that we needed to quit fighting and it's

7 not going to -- we are not going to end up

8 nowhere. They are just giving us a life

9 lesson, I guess.

10 Q. Which police department was

11 this?

12 A. Southside. He was like you

13 better -- you better stop or it leads to jail,

14 stuff like that. They put us in handcuffs and

15 stuff.

16 Q. I didn't mean to interrupt you.

17 A. You're fine. Keep going.

18 Q. Is that the only time you can

19 recall police having come to your house to

20 respond to a call?

21 A. Yes.

22 Q. Was Southside?

23 A. Yes.

Page 177

1 Q. As we sit here today in June of  
2 2016, are you taking any medications?  
3 A. No.  
4 Q. When was the last time you have  
5 taken a prescription medication?  
6 A. Since Topamax.  
7 Q. Do you know the last time you  
8 took the Topamax?  
9 A. Over a year ago, year and a  
10 half.  
11 Q. Before or after the concert?  
12 A. Before.  
13 Q. So after -- after the concert  
14 has any doctor prescribed medication for you,  
15 for anything?  
16 A. No.  
17 Q. When you were taken to  
18 Children's Hospital, you said you were near  
19 your house and a neighbor found you and you  
20 were transported by ambulance to Children's  
21 Hospital?  
22 A. (Witness nods head  
23 affirmatively.)

Page 178

1 Q. Did you stay overnight in the  
2 hospital?  
3 A. No.  
4 Q. So the only two times you have  
5 ever been transported by an ambulance was that  
6 occasion, when you were found by the neighbor,  
7 taken to Children's and then the night of the  
8 concert; is that correct?  
9 A. Yes.  
10 Q. Do you recall the transport by  
11 ambulance to Children's Hospital? Do you  
12 remember that?  
13 A. No, not at all.  
14 Q. The neighbor that found you -- I  
15 know you said you can't remember his or her  
16 name. But did that neighbor tell you that you  
17 said anything to him or her when they found  
18 you?  
19 A. No. My mom said it was our --  
20 the neighbor that was like the older neighbor.  
21 He was like this old man -- not -- the old  
22 woman that has got like five cats. The old  
23 woman that lived beside us. She had found me.

Page 179

1 She knew where I lived. She recognized me so  
2 she went to my mom and they got me. She  
3 didn't say nothing.  
4 Q. Do you recall having a  
5 conversation with any of the medics during  
6 that transport?  
7 A. No. I was unaware that I was  
8 even taken by ambulances until I woke up and  
9 my mom told me what happened.  
10 Q. What did your mom say to you?  
11 Did your mom tell you you had a  
12 conversation with her during that time period?  
13 A. No. She told me the neighbor  
14 found me and she called the police. She said  
15 the ambulance brought me to the hospital.  
16 Q. Have you ever been the victim of  
17 a crime?  
18 MR. HARP: Object to the form.  
19 A. No.  
20 Q. Have you ever charged anyone  
21 with a crime or made a complaint that led to  
22 charges against someone for a crime?  
23 A. No.

Page 180

1 Q. The concert that you went to on  
2 January 16, 2015, who was the artist that was  
3 giving the concert?  
4 A. Kevin Gates.  
5 Q. Kevin Gates?  
6 A. (Witness nods head  
7 affirmatively.)  
8 Q. All right. What type of genre  
9 of music does Kevin Gates play or sing?  
10 A. Rap.  
11 Q. Have you ever seen -- have you  
12 ever been to a Kevin Gates concert before  
13 January of 2015?  
14 A. No.  
15 Q. How did you get to the concert  
16 that night?  
17 A. Me and my friend [REDACTED], we rode  
18 with her boyfriend.  
19 Q. [REDACTED] was your best friend at the  
20 time?  
21 A. Yes.  
22 Q. What's her last name?  
23 A. [REDACTED]

Page 181

1 Q. You don't have a relationship  
2 with her any longer?  
3 A. I do, but it's just we -- we  
4 were on -- not really.  
5 Q. So who is her boyfriend? What's  
6 his name?  
7 A. It's an ex now.  
8 Q. Who was it at the time?  
9 A. [REDACTED].  
10 Q. Do you know where [REDACTED]  
11 lives now?  
12 A. No.  
13 Q. Where -- I misunderstood  
14 something earlier. Where were you living on  
15 January 16, 2015?  
16 A. [REDACTED].  
17 Q. In Rainbow City?  
18 A. Yes.  
19 Q. And were you living there with  
20 your mom and two sisters?  
21 A. Yes.  
22 Q. And no one else lived there at  
23 the time?

Page 182

1 A. No.  
2 Q. So [REDACTED] picks you up  
3 from your house on [REDACTED]?  
4 MR. HARP: Object to the form.  
5 A. It was [REDACTED]'s boyfriend. They  
6 had came over. We went to the concert.  
7 Q. So the concert was on a Friday;  
8 is that correct?  
9 A. Yes.  
10 Q. Did [REDACTED] drive to your  
11 house and pick you up to take you to the  
12 concert?  
13 A. He was there for a little bit  
14 before we left, but yes.  
15 Q. Did your mom know you were going  
16 to the concert?  
17 A. Yes.  
18 Q. Yes?  
19 A. Yes.  
20 Q. And did your sister -- I believe  
21 you said your sister also attended the  
22 concert. Did she ride with you and [REDACTED] and  
23 [REDACTED]?

Page 183

1 A. No.  
2 Q. How did she get to the concert?  
3 A. I'm not sure.  
4 Q. Did you know she was going?  
5 A. Yes.  
6 Q. Before -- or after you and  
7 [REDACTED] and [REDACTED] left your house, did y'all  
8 stop and get anything to eat before the  
9 concert?  
10 A. No.  
11 Q. You went straight to the  
12 concert?  
13 A. Yes.  
14 Q. At Center Stages?  
15 A. Yes.  
16 Q. Had you ever attended a concert  
17 at Center Stages prior to January 16, 2015?  
18 A. Yes.  
19 Q. What artist?  
20 A. Cory Smith.  
21 Q. Anybody else other than Cory  
22 Smith?  
23 A. No.

Page 184

1 Q. What type of artist is Cory  
2 Smith?  
3 A. Country, solely.  
4 Q. Do you know when that concert  
5 would have been?  
6 A. I want to say 2014, but I'm not  
7 sure. It was a while back.  
8 Q. It was before the one -- before  
9 the Kevin Gates concert?  
10 A. Yeah, it was before.  
11 Q. Have you been back to Center  
12 Stages for any type of event since January  
13 2015?  
14 A. No.  
15 Q. Have you been to any concert at  
16 an arena or coliseum or stadium since 2015 --  
17 January 2015?  
18 A. No.  
19 Q. Have you been to any sporting  
20 event in a stadium since January 2015?  
21 A. No.  
22 Q. Have you been anywhere for an  
23 entertainment setting where there was a large

Page 185

1 crowd, more than a thousand people?

2 A. No.

3 Q. Any particular reason why not?

4 A. Because I just don't want

5 nothing to happen.

6 Q. Are you -- what do you mean by

7 you don't want anything to happen?

8 A. Like nothing crazy like what

9 happened that night at the concert.

10 Q. Are you concerned about a

11 seizure?

12 MR. HARP: Object to the form.

13 A. I'm concerned about myself and

14 my surroundings.

15 Q. At the Kevin Gates concert, when

16 you arrived, you and Daniel and Emma arrived

17 at Center Stages, do you recall having a

18 conversation with anybody you knew before the

19 concert began?

20 A. I'm sure, but I don't recall --

21 I can't give you any names.

22 Q. Okay. And then when you went in

23 the concert itself, how long were you there

Page 186

1 while Kevin Gates was performing before you

2 had a seizure? Had it been going on for a

3 good while, like an hour, or do you know?

4 A. Not really. He had just kind of

5 started.

6 Q. What kind of lighting was there

7 in the concert?

8 A. It was dark.

9 Q. Any kind of strobe lights or

10 lights on the stage?

11 MR. HARP: Object to the form.

12 A. I don't remember.

13 Q. Did the people in the audience

14 have flashlights or lighters?

15 A. Not that I can remember.

16 Q. You don't recall any kind of

17 lighting at the concert?

18 A. There was some, but I don't

19 think there was any strobe.

20 Q. Were the lights moving? Were

21 they fixated lights, or were they moving

22 lights?

23 A. I don't think they were moving

Page 187

1 lights, but I don't remember.

2 MR. HARP: Tell him if you don't

3 know.

4 Q. Prior to you and ~~XXXX~~ and ~~XXXX~~

5 arriving at the concert, did you witness

6 ~~XXXX~~ or ~~XXXX~~ drinking any alcoholic

7 beverages?

8 A. No.

9 Q. Did you drink any alcoholic

10 beverages?

11 A. No.

12 Q. Did you take any prescription

13 medication before going to the concert?

14 A. No.

15 Q. Did you take any type of drugs

16 before going to the concert?

17 A. No.

18 Q. Correct me if I have

19 misunderstood something, but I think you said

20 you were surrounded by people, dancing at the

21 concert, and then you -- do you recall

22 anything between the time you were dancing and

23 the time that you were on the floor in the

Page 188

1 lobby? Do you have any memory of between I

2 was dancing and the text thing I know I'm in

3 the lobby on my back?

4 A. Not really.

5 Q. All right. I thought you said

6 earlier about your sister was holding and

7 stroking your hair?

8 A. Yeah, when I woke up in the

9 lobby, she was.

10 Q. She was there while you were on

11 your back in the floor, stroking your hair?

12 A. When I woke up in the lobby,

13 yes.

14 Q. Were you on the floor? Do you

15 know?

16 A. Yes, I was on the floor.

17 Q. All right. Where was she -- so

18 if you're lying on your back, what part of

19 your body was she positioned at, your head?

20 A. Yeah. She was like sitting

21 behind me, like on her knees, like say her

22 calves are facing like this, and she was like

23 this and had my head in her lap (indicating).

Page 189

1 Q. She was just kind of cradling  
2 you?  
3 A. Yes.  
4 Q. Do you have any memory of what  
5 happened between that memory of your sister  
6 stroking your hair and then somebody holding  
7 you down?  
8 A. A blink of an eye.  
9 Q. Do you have any memory of what  
10 happened between --  
11 A. No.  
12 Q. I don't want to mischaracterize  
13 your testimony. You're dancing, correct?  
14 A. (Witness nods head  
15 affirmatively.)  
16 Q. You don't remember anything from  
17 the time of your dancing and you wake up in  
18 the lobby?  
19 A. I fall to the ground.  
20 Q. Okay.  
21 A. That's when I was dancing. And  
22 then it's like lights out. I woke up.  
23 Q. You don't have any memory of

Page 190

1 anybody taking you out of the concert?  
2 A. No.  
3 Q. To the lobby?  
4 A. No.  
5 Q. So you wake up?  
6 A. Yeah. I wake up, and I can't  
7 like really move or say anything, but I'm just  
8 like aware of what's going on a little bit.  
9 And I heard her over talking to that guy about  
10 something -- about how I had medical problems.  
11 He was asking her what does she have. And she  
12 was like, well, she has seizures. He was just  
13 getting my information from her. And that's  
14 when I woke up.  
15 Q. When you first woke up you are  
16 on your back and you hear your sister?  
17 A. I'm flat on my back when I woke  
18 up.  
19 Q. When you first wake up, you feel  
20 your sister caressing your hair?  
21 A. When I first woke up in the  
22 lobby, yes.  
23 Q. Was that the same time you heard

Page 191

1 your sister speaking with someone?  
2 A. Yes.  
3 Q. Do you know who she was speaking  
4 to?  
5 A. It was an officer.  
6 Q. All right. Can you describe  
7 that officer? Do you know what he or she  
8 looked like?  
9 A. Bald.  
10 Q. Okay.  
11 A. Bald, maybe a buzz cut.  
12 Q. Tell me everything you remember  
13 that your sister said to the officer or the  
14 officer said to your sister during that moment  
15 of time.  
16 A. He was asking her what was going  
17 on, like what's wrong with her. And [REDACTED]  
18 was saying she's having a seizure, she's  
19 having a seizure. And the guy was asking how  
20 old I was, what my birthday was, what I was  
21 allergic to. It was something like that. It  
22 was something off like that. But it wasn't  
23 long until -- it wasn't much.

Page 192

1 Q. I mean, do you remember any  
2 other conversation other than your sister  
3 talking to the officer or the officer talking  
4 to your sister about how old you are, what  
5 conditions you have?  
6 A. Yes.  
7 Q. Anything like that?  
8 A. I mean, no, I don't remember  
9 anything else.  
10 Q. What was your very next memory?  
11 A. Him talking about it.  
12 Q. The officer, the bald officer  
13 and your sister?  
14 A. (Witness nods head  
15 affirmatively.)  
16 Q. Talking about what?  
17 A. About me, like what we was just  
18 talking about, asking her questions about --  
19 MR. HARP: She described him as  
20 bald or buzz cut. She said bald or buzz cut.  
21 THE WITNESS: Not like bald. He  
22 had a little hair, fuzzy, I guess.  
23 Q. After you hear your sister with

Page 193

1 the officer with the bald or buzz cut, what's  
 2 your next memory?  
 3 A. Waking up with my back flat on  
 4 the ground.  
 5 Q. Do you know if you were in the  
 6 same location you had been --  
 7 A. No, it was a different one. It  
 8 was a different one because everything looked  
 9 different.  
 10 Q. All right.  
 11 A. I know for sure it was in the  
 12 lobby, but I know that where I was when I was  
 13 awake, when I was listening to them talk, when  
 14 I was in the other place was two -- I knew I  
 15 was tased two totally different ways.  
 16 Q. Prior to January 16th of 2015,  
 17 did you personally know any Rainbow City  
 18 police officers?  
 19 A. No.  
 20 Q. Did you even know any of their  
 21 names?  
 22 A. No.  
 23 Q. As far as that -- as we are

Page 194

1 sitting here today, none of the officers are  
 2 here. Do you know or have any way of  
 3 describing which officer was holding your arms  
 4 or legs or your head? Do you have any memory  
 5 of that at all?  
 6 A. Maybe if I got shown a picture,  
 7 maybe. But I can't tell you who it was.  
 8 Q. Okay. So we are at that moment  
 9 in time when you said you wake up again and  
 10 you have got -- is that when you said somebody  
 11 is holding you down?  
 12 A. Somebody has got my neck and  
 13 somebody has got each arm and each leg.  
 14 MR. HARP: Before you ask that  
 15 question, can we go ahead and take a break.  
 16 (Whereupon, a brief recess was  
 17 taken.)  
 18 Q. (By Mr. Stubbs) Before we went  
 19 off the record -- I will try to get through  
 20 this expeditiously.  
 21 You were talking about when you  
 22 were dancing, you fall in the floor. You  
 23 don't remember anything until you wake up in

Page 195

1 the lobby and your sister is caressing your  
 2 hair; is that correct?  
 3 A. Yes.  
 4 Q. And you remember your sister  
 5 speaking with someone.  
 6 How do you know that -- that  
 7 person with whom she was speaking was a police  
 8 officer?  
 9 A. I could tell by his uniform.  
 10 Q. Describe the uniform.  
 11 A. It was dark blue or black,  
 12 whatever it is.  
 13 Q. Was there a badge?  
 14 A. Yeah, and a badge.  
 15 Q. Do you know if he had --  
 16 A. A walkie talkie.  
 17 Q. Young or old?  
 18 A. Young.  
 19 Q. Did he ever identify himself?  
 20 Did you ever hear him say who --  
 21 A. I think I know who he is.  
 22 Q. Who do you think it is?  
 23 A. Gilliland.

Page 196

1 Q. Gilliland?  
 2 A. Gilliland.  
 3 Q. Do you know if the person -- did  
 4 you ever see -- you said you saw the uniform  
 5 and you saw the buzz cut. Did you ever see --  
 6 was this same person one of the ones that was  
 7 holding you down when you woke back up again?  
 8 A. Yeah, he was the one that was  
 9 holding my neck.  
 10 Q. Okay. So the one that you said  
 11 was speaking to your sister when you first  
 12 woke up and she was caressing your hair was  
 13 the same one you claim was holding your head;  
 14 is that correct?  
 15 A. Yes. I'm pretty sure he was my  
 16 SRO officer when I was in middle school.  
 17 Q. School resource officer?  
 18 A. School resource officer.  
 19 Q. All right. So when you wake up  
 20 and you're being held, now you seem to  
 21 remember you think it was Gilliland that was  
 22 at your head?  
 23 A. Yeah. He's -- yes.

Page 197

1 Q. Can you identify the names, if  
2 you know, of anybody else who was holding you  
3 down?

4 A. I don't know any other names  
5 besides the one -- the actual one who tased  
6 me.

7 Q. What was his name?

8 A. Morris, Officer Morris.

9 Q. Did you learn his name that  
10 night or later?

11 A. No. I actually go to school  
12 with his son.

13 Q. What's his son's name?

14 A. [REDACTED].

15 Q. Did [REDACTED] ever say anything to  
16 you about the incident?

17 A. Yeah. [REDACTED] said -- he told me  
18 that his dad was the one who tased me.

19 Q. What else did [REDACTED] say to you  
20 about the incident?

21 A. That's it.

22 Q. Is that --

23 A. Something about his dad told him

Page 198

1 something about it, and then he told me.

2 Q. And that conversation took place  
3 on the day you went back to school after the  
4 concert?

5 A. No, it wasn't at school. It  
6 was-- his girlfriend was actually a friend I  
7 had in school. I was over at her house, and  
8 he was telling me about it.

9 Q. Was this after you had already  
10 gone back to school for one day?

11 A. Yeah. That was after, I think,  
12 I had done went to school.

13 Q. You don't remember if [REDACTED] said  
14 anything else to you about it?

15 A. No, that was it.

16 Q. So you know someone was holding  
17 your head, and you think that was Gilliland?

18 A. Yeah. I just remember -- I  
19 remember him being right there.

20 Q. Through the information you have  
21 received afterward, you think it was Morris  
22 who tased you?

23 A. I know it was him.

Page 199

1 Q. Do you know the -- can you  
2 identify any other officer who may have been  
3 holding you down, if not by name but by  
4 physical description?

5 A. I'm trying to think. Besides  
6 that guy in the plaid shirt.

7 Q. A guy in a plaid shirt?

8 A. Yes.

9 Q. Do you know if he was an  
10 officer?

11 A. No. He wasn't wearing a  
12 uniform.

13 Q. Do you know who that is, or did  
14 he work there or was a patron?

15 A. He said that he had -- he had  
16 worked there, because when I was talking to  
17 him -- when I was telling him, like, what was  
18 going on, he was the only one that said -- he  
19 was like I'm a doctor, and I was like what am  
20 I still doing here? And he just -- he just  
21 ignored me. But he came in. He held my head  
22 too. They must have swapped or something.

23 Q. So when you -- your sister was

Page 200

1 caressing your hair, having a conversation  
2 with whom you believe was an officer?

3 A. Officer Gilliland.

4 Q. The next thing you know, you  
5 don't remember anything until you wake up and  
6 you are being held down; is that correct?

7 A. Yes.

8 Q. Stay at that moment. You said  
9 that you remember a guy in a plaid shirt. You  
10 are talking to a guy in a plaid shirt; is that  
11 correct?

12 A. That was the only other one I  
13 could identify.

14 Q. Did the guy in the plaid shirt  
15 tell you he was a doctor?

16 A. Yes.

17 Q. What else did the guy in the  
18 plaid shirt tell you?

19 A. That he knew what he was doing  
20 because when they were -- when he was  
21 squeezing my jaw and stuff, I was like -- I  
22 was screaming. I was like what are you doing?  
23 He said I'm a doctor, just let me do what I

Page 201

1 need to do.

2 Q. Was that at the same time

3 officers were holding you down?

4 A. Yes.

5 Q. Was that before you were tased?

6 A. Yes.

7 Q. All right.

8 A. Actually, I don't remember. It

9 was before I was tased, yes.

10 Q. As far as the actual tasing, did

11 you feel it?

12 A. Tasing?

13 Q. Yes.

14 A. Yes.

15 Q. What did it feel like?

16 A. It felt like somebody -- like

17 you know how you took -- with those things

18 that have flat heads -- the little tiny -- the

19 little thorny things on the end of it. That's

20 what it felt like, like a rock and put it

21 straight to my chest.

22 Q. How long did it last?

23 MR. HARP: Object to the form.

Page 202

1 A. The first one was just like he

2 just touched it. The second one was like a

3 good burn.

4 Q. Do you still have any marks

5 related to that tasing?

6 A. Not any physical marks that you

7 can see.

8 Q. Did you have someone take a

9 picture of those marks?

10 A. Yes.

11 Q. Who took the picture?

12 A. [REDACTED]

13 Q. Your friend [REDACTED]?

14 A. Yes.

15 Q. Where were you when the picture

16 was taken?

17 A. At her dad's house.

18 Q. On the night of the incident?

19 A. Yes. I had just left the

20 hospital.

21 Q. All right. Stay with me in that

22 moment. You are being held down, and you

23 remember getting tased. You said twice,

Page 203

1 right?

2 A. (Witness nods head

3 affirmatively.)

4 Q. And then after you were tased

5 the second time, what's your next memory? On

6 the gurney? I think you testified earlier you

7 were on the gurney?

8 A. Yeah.

9 MR. HARP: Object to the form.

10 I don't think that's the sequence she

11 testified to earlier.

12 Q. I apologize. What's the next

13 thing you remember after you were tased?

14 A. After he had tased me the second

15 time, he come down for the third one, and I

16 went to sleep. It was a blackout. It was

17 like lights out. I wake up on the gurney.

18 Q. Do you know if you were tased a

19 third time?

20 A. I had a third mark, yes.

21 Q. Does the picture -- the picture

22 that your friend took on the night of the

23 incident, does it show three distinct marks?

Page 204

1 A. Yes.

2 Q. Two prongs, three different

3 directions?

4 A. Yes. It was the gun -- it was

5 the one that they hold to shoot.

6 Q. Do you recall anything about the

7 prongs -- any wires -- did you ever see any

8 wires from the taser?

9 MR. HARP: Object to the form.

10 A. No.

11 Q. All right. So you don't recall

12 feeling a third tase? You just recall seeing

13 somebody coming down --

14 A. Yeah, I saw him coming down for

15 the third one.

16 Q. And then you said you blacked

17 out?

18 A. Yes.

19 Q. What do you remember next?

20 A. Waking up on the gurney.

21 Q. Have you told me, TDH, every

22 conversation or everything that was said that

23 you can remember by the guys that were holding

Page 205

1 you down?

2 You said the guy in the plaid  
3 shirt said I'm a doctor, I know what I'm  
4 doing.

5 Do you recall anything else that  
6 anybody said who was surrounding you or  
7 holding you down before you woke up?

8 A. Well, besides them telling me to  
9 shut up and quit moving -- I wasn't going to  
10 go anywhere. Besides that, no.

11 Q. Who said that?

12 A. Every single one of them.

13 Q. How many do you know?

14 A. I don't know any of them besides  
15 -- I don't know any -- I know a couple of  
16 them's names, but I have done told you the  
17 ones I knew. But they were all ballistic.

18 Q. Ballistic, you said?

19 A. Yes.

20 Q. Have you told me everything you  
21 recall them saying to you?

22 A. I mean, I can't remember every  
23 single thing, but that's pretty much what they

Page 206

1 were telling me to do. They were telling me  
2 to just shut my mouth, just lay there and just  
3 wait until they were done doing what they were  
4 doing.

5 Q. Did you say anything back?

6 A. Why, crying out why. I remember  
7 that.

8 Q. Did you say anything else  
9 besides why, the word why?

10 A. Let me go, get off of me, I  
11 can't breathe. Other than that, nope.

12 Q. Okay?

13 A. I don't remember.

14 Q. You have no memory of saying  
15 anything else other than why, let me go, I  
16 can't breathe?

17 A. Yes.

18 Q. Is that all you remember saying?

19 A. Yes.

20 Q. Have you told me about  
21 everything else that anybody said to you  
22 during that moment?

23 A. I don't remember anything

Page 207

1 specific.

2 Q. Okay. So what about -- you are  
3 in the lobby on the gurney. Is that your next  
4 memory?

5 A. Yes.

6 Q. Nine-point restraint. Did I say  
7 that right, the nine-point restraint?

8 Do you recall before you're  
9 loaded in the ambulance anybody saying  
10 anything to you?

11 A. These two guys were standing --  
12 they were like this. I could see just the top  
13 of their heads (indicating).

14 Q. You are talking about looking  
15 back behind -- you are lying down on your  
16 back, looking --

17 A. I'm on the gurney. They're  
18 behind me. I think they're behind me. They  
19 was all laughing. I was like what is so  
20 funny? I said why don't y'all tell me what is  
21 so funny. The guy was like I'm going to put  
22 you in the movie Retarded, and they all  
23 started laughing. The cops started laughing,

Page 208

1 and then the guy started laughing. And that's  
2 the only thing that was said to me.

3 Q. Do you know who those  
4 individuals are who made those comments?

5 A. No idea.

6 Q. Do you know if they were police  
7 officers or patrons or workers of Center  
8 Stages?

9 A. I don't know. They were just  
10 standing there with the cops. They didn't  
11 have uniforms on. They had like T-shirts and  
12 snap-backs on. I thought they were just part  
13 of the crowd, but I could be wrong.

14 Q. And tell me again. You said one  
15 of them said I'm going to put you in my movie  
16 or --

17 A. Yes, I'm to going put you in my  
18 movie. And I remember saying like what? And  
19 he was like Retarded, and they all started  
20 laughing.

21 Q. Anything else you remember being  
22 said during that moment while you were in the  
23 lobby on the gurney?

Page 209

1 A. I mean besides those side  
2 comments, no.

3 Q. Like what, what kind of  
4 comments?

5 A. Like when that did happen, when  
6 he said that, I was just saying that's not  
7 funny. He was like -- the cops was like this  
8 is all publicity. You are going to get to  
9 smile at the camera. Sideways comments like  
10 that.

11 Q. Who said that?

12 A. I don't know. I don't know  
13 him but --

14 Q. Was it a police officer?

15 A. Each of them had something to  
16 say. I don't know them. I don't know their  
17 names.

18 MR. HART: Answer his questions.  
19 Slow down and listen to his question, okay,  
20 and then answer it.

21 Q. Yeah. And I know it's been a  
22 long day, but this is my only opportunity to  
23 get to question you about this incident.

Page 210

1 Do you recall any, who you  
2 believe was a Rainbow City police officer,  
3 saying anything else to you that night?

4 A. That I know of, no.

5 Q. When you were loaded in the  
6 ambulance, who was in the ambulance with you?

7 A. These two guys.

8 Q. Was any Rainbow City police  
9 officer in the ambulance with you?

10 A. No.

11 Q. Do you recall -- okay -- I know  
12 you testified earlier about that the medics  
13 didn't take your vital signs?

14 A. (Witness nods head  
15 affirmatively.)

16 Q. Is that correct?

17 A. Yes.

18 Q. Is that something you  
19 consciously remember thinking while you were  
20 in the ambulance?

21 A. I don't remember -- I don't  
22 remember them taking any vitals, but I know --  
23 I mean, I guess they did at Center Stage.

Page 211

1 Q. Did you -- when you were being  
2 transported, was your mouth still taped?

3 A. Yes.

4 Q. Do you know who taped your  
5 mouth?

6 A. I know that Jessie guy -- I  
7 remember Officer Gilliland -- did somebody say  
8 something? I'm sorry.

9 I remember Officer Gilliland  
10 having my mouth, and I remember the other one  
11 trying to put gauze in my mouth, but it's all  
12 so -- I don't remember -- I can't pinpoint to  
13 which -- like when it happened, but it had to  
14 happen when I was asleep. They put me on the  
15 gurney -- when I woke up on the gurney, my  
16 mouth was actually taped.

17 Q. You don't know who taped -- who  
18 actually put the tape on your mouth?

19 A. I'm pretty sure it was that  
20 Jessie guy or Officer Gilliland. Officer  
21 Gilliland had my mouth, and he was squeezing  
22 the back of my jaw trying to get my jaw to  
23 break -- trying to get my jaw to open.

Page 212

1 Q. I didn't mean to interrupt you.  
2 Is the Jessie the one you identified was in a  
3 plaid shirt?

4 A. Yes.

5 Q. Did you ever find out if Jessie  
6 was a doctor or a medic?

7 A. No, no. I don't know him at  
8 all.

9 Q. Was Jessie -- the guy in the  
10 plaid shirt in the ambulance with you?

11 A. I don't think he was a doctor.  
12 I could tell by the way he was handling me he  
13 wasn't a doctor.

14 Q. At the hospital, when you  
15 arrived at the hospital, which hospital did  
16 they take you to?

17 A. Gadsden Regional.

18 Q. And do you recall being treated  
19 at the hospital, any tests being performed on  
20 you?

21 A. None.

22 Q. Anybody questioning you or doing  
23 anything for you at the hospital?

Page 213

1 A. No.

2 Q. So when you arrived at the

3 hospital at what point in time did they remove

4 you from the nine-point restraint?

5 A. After the police left.

6 Q. And then so were you taken into

7 an examination room?

8 A. They wheeled me in there. And

9 after the cops had left, the doctors came and

10 took all the restraints off.

11 Q. You think it was a doctor that

12 did that?

13 A. No, I remember the doctor doing

14 it.

15 Q. Do you know the name of the

16 doctor?

17 A. No.

18 Q. A female or male?

19 A. Female.

20 Q. Did that doctor treat you in

21 any way?

22 A. No, no.

23 Q. Okay. What were you -- okay.

Page 214

1 I'm just -- what were you told? When they

2 took off the restraints, what were you told?

3 A. They told me if I could find

4 somebody to come get me, to call them now and

5 they would release me.

6 Q. So to the best of your memory,

7 no examination was done on you?

8 A. No.

9 Q. No one questioned you about what

10 happened?

11 A. None.

12 Q. And then how did you -- who came

13 to pick you up at the hospital?

14 A. My friend's boyfriend's aunt.

15 Q. Who was that?

16 A. I don't remember her name. Kim

17 -- no, I'm not sure.

18 Q. The same guy that picked you up

19 for the concert, his aunt?

20 A. I'm not sure who it was. I'm

21 not sure who it was, actually. I just

22 remember she was able to get me out so she got

23 me out.

Page 215

1 Q. Did you ever find out why you

2 were offered no medical treatment while you

3 were at the hospital?

4 A. (No response.)

5 Q. Did you ever question that

6 later?

7 A. I didn't question it at the

8 time, but I did -- I kind of looked back --

9 but, I mean, I figured -- I don't know.

10 Q. Did you file a complaint or did

11 someone file a complaint on your behalf

12 against the hospital for failure to treat you?

13 MR. HARP: Object to the form.

14 A. No. I don't know.

15 Q. To your knowledge, did anybody

16 question that emergency room physician or the

17 medical staff as to why no treatment was

18 rendered to you that night?

19 MR. HARP: Object to the form.

20 A. I don't know.

21 Q. You don't know?

22 A. I don't know.

23 Q. Did you find that odd?

Page 216

1 MR. HARP: Object to the form.

2 A. I find a lot of things odd.

3 MR. HARP: Just answer his

4 questions.

5 Q. You testified earlier that -- I

6 think you used the word you were belligerent

7 in the ambulance? Do you recall saying that?

8 A. (Witness nods head

9 affirmatively.)

10 Q. Why were you belligerent in the

11 ambulance?

12 A. Because I was strapped all the

13 way down. I couldn't even lift my forehead.

14 My mouth was tentatively taped shut, like it

15 was -- my tongue was like halfway -- it was

16 just weird. It was bad. My mouth was taped

17 shut barely enough for me to get any air out.

18 They was like paying no attention to me

19 whatsoever, like I wasn't even in the back of

20 the ambulance.

21 Q. The medics on the ambulance?

22 A. Yes. They were acting like I

23 was invisible.

Page 217

1 Q. Do you recall exactly what you  
2 said to them, to the medics?

3 A. Well, I couldn't really get any  
4 words out, but I was screaming, though,  
5 because I had all that in my mouth.

6 Q. Did they say anything to you in  
7 response?

8 A. Nothing at all.

9 Q. In the past -- I know you have  
10 already testify you have not had a seizure  
11 since January 16th, 2015.

12 In the past, when you have had  
13 seizures, have you ever almost swallowed your  
14 tongue?

15 A. No.

16 Q. Do you recall anybody ever  
17 telling you they had to put something in your  
18 mouth to keep you from swallowing your tongue?

19 A. No, because that's false.

20 Q. I'm sorry. Nobody has told you  
21 that?

22 A. No. My doctor told me not to  
23 put nothing in my mouth, to leave me on my

Page 218

1 side and just let me seize, keep your head at  
2 rest, don't touch -- I'm not supposed to be  
3 touched or nothing.

4 Q. All right.

5 A. They have cases where kids have  
6 swallowed spoons, because people put spoons to  
7 like hold their tongue down.

8 Q. Which doctor gave those  
9 instructions?

10 A. Dr. Russell and Dr. Strawn and  
11 Dr. Kelly.

12 Q. Those doctors have always  
13 said -- told your mom, I guess, your siblings  
14 and yourself to -- not to put anything in your  
15 mouth?

16 A. Nothing, not to touch me at all.

17 Q. While you were at the hospital,  
18 do you know -- you said earlier there was a  
19 police officer there; is that correct?

20 A. Yes.

21 Q. Do you know if that was a  
22 Rainbow City police officer or if he was a  
23 security guard at the hospital?

Page 219

1 A. I know for sure it wasn't a --  
2 it was the one -- like it was a crew that  
3 brought me in. Because when they took me out  
4 of the back of the ambulance, the police  
5 weren't in the ambulance with me but they  
6 escorted me in.

7 Q. The police -- a police officer  
8 or more than one?

9 A. Like three of them, but I don't  
10 know who they are.

11 Q. Were they the same ones that you  
12 saw that night holding you down?

13 A. Could be. I'm not really sure.

14 Q. When you said they escorted you  
15 in, were you not taken in by a gurney?

16 A. Yeah. Like they escorted my  
17 gurney in. They pushed my gurney in.

18 Q. And you don't -- can you  
19 identify any of those by physical appearance?

20 A. I couldn't tell you. I don't  
21 remember.

22 Q. Do you recall seeing a patrol  
23 car with lights behind the ambulance?

Page 220

1 A. No.

2 Q. All right. When you were taken  
3 by ambulance did they have the sirens going?

4 A. No.

5 Q. Tell me again everything you  
6 remember -- you said they were police  
7 officers -- what they said at the hospital?

8 MR. HARP: Object to the form.

9 A. Repeat that one more time.

10 Q. Did these officers, while they  
11 were at the hospital, say anything?

12 A. They were telling the doctor --  
13 I actually don't know what exactly he was  
14 telling them. He was like saying something in  
15 his ear, and I asked him what he was saying,  
16 could I get a phone call at least or could  
17 somebody call my mom. And he turned around,  
18 and he told me that I was getting a phone  
19 call, that I just needed to sit my ass right  
20 there, that I needed to be quiet, that I was  
21 going to Mountain View and that -- that if I  
22 thought I was getting out of Mountain View,  
23 then I'm crazy, because they would literally

Page 221

1 monitor an adult who just got -- or who just  
2 got out of jail for disorderly conduct.

3 Q. All right. You don't know how  
4 to identify this officer who made that  
5 statement?

6 A. If there was a picture, I could  
7 probably, but I don't remember it.

8 Q. At the hospital do you recall  
9 any other conversations that you had with  
10 anybody else or somebody had with you?

11 A. None.

12 Q. What about a conversation you  
13 overheard?

14 A. None.

15 Q. And you can't recall the name of  
16 the person who picked you up at the hospital?

17 A. No.

18 Q. Where were you taken to?

19 A. My friend Emma's dad's house.

20 Q. Any particular reason why you  
21 went there?

22 A. Because my mom was in jail.

23 Q. Did you ask to go home? Did you

Page 222

1 ask them to take you to your house?

2 A. There was nobody at my house.

3 Q. Do you know where your sister  
4 was?

5 A. My sister went and stayed with  
6 somebody too.

7 Q. Do you know where she went to  
8 stay?

9 A. I think with my older sister and  
10 her boyfriend. I'm not sure.

11 Q. The day of the concert, on  
12 January 16, 2015, you had gone to school that  
13 day?

14 A. Yes.

15 Q. Did you have a seizure at  
16 soccer -- was it practice?

17 A. Practice, yes.

18 Q. Was that after school hours?

19 A. Yes.

20 Q. What time would school let out?

21 A. We let out at 2:45. We started  
22 practice at like 3:00.

23 Q. Would the seizure occur some

Page 223

1 time after 3:00?

2 A. 3:30 maybe.

3 Q. Who tended your -- who attended  
4 to you after that seizure while at soccer  
5 practice?

6 A. Well, I -- we didn't get that  
7 far into practice until -- I mean, I hear her  
8 say warm up, and then I guess we would start  
9 our jog. And then I woke up looking at the  
10 paramedic who was asking me to do this right  
11 here (indicating).

12 Q. All right. So somebody called  
13 the paramedic to the school?

14 A. (Witness nods head  
15 affirmatively.)

16 Q. I assume soccer practice was at  
17 school?

18 A. Yes.

19 Q. So a paramedic comes to the  
20 school. What does that paramedic or  
21 paramedics do for you at the school?

22 A. They asked me what's my name, do  
23 I know what day it is, do I have a headache,

Page 224

1 if I have pain, what scale, 0 to 10. And they  
2 asked me if I felt okay, and I was like, yes.  
3 They told me that I don't need to finish  
4 practice, that I need to go home and get some  
5 rest.

6 Q. How did you get home?

7 A. My mom.

8 Q. So your mom picked you up. Did  
9 your mom -- while the paramedics were  
10 attending to you at the school, soccer field,  
11 did your mom come down there?

12 A. Yes.

13 Q. Was your mom present when you  
14 are being attended to by the paramedics at the  
15 soccer field?

16 A. Yes.

17 Q. And then so you weren't taken --  
18 did your mom take you to the doctor that  
19 afternoon or the 16th of January?

20 A. No. Our doctor's office was  
21 closed.

22 Q. Okay. So your mom was aware  
23 that you had a seizure at soccer practice,

Page 225

1 correct?

2 A. Yes.

3 Q. Did she express any concern

4 about you going to the concert that night?

5 A. Yeah. She didn't want me to go.

6 Q. All right. If she didn't want

7 you to go, did you just tell her you were

8 going anyway?

9 A. No. She had just had surgery so

10 she was like in the bed. And so she wasn't

11 like really -- I didn't really like -- I don't

12 know. I think -- I'm pretty sure I told her I

13 was going somewhere else or something. I

14 don't remember.

15 Q. Did your mom -- did your mom

16 know you were going to the concert that night?

17 A. Yes.

18 Q. I misunderstood you, then.

19 A. Yeah. I know I ended up telling

20 her, but she -- I kind of like just --

21 MR. HARP: There wasn't a

22 question. He just said he misunderstood you.

23 THE WITNESS: Yeah.

Page 226

1 MR. HARP: Wait for a question.

2 THE WITNESS: Okay.

3 Q. Prior to [REDACTED] and her boyfriend

4 picking you up, was your mom aware you were

5 going to the concert?

6 A. No.

7 Q. Okay. Do you recall telling

8 your mom what you were going to be doing that

9 night?

10 A. Yes.

11 Q. What did you tell her?

12 A. When?

13 Q. Before you left the house to go

14 to the concert?

15 A. Yes, I told her I was going to

16 the concert.

17 Q. So your mom was aware you were

18 going to the concert?

19 A. Yes.

20 Q. You said she had just had some

21 surgery. What kind of surgery?

22 A. Hemorrhoid.

23 Q. When had she had the surgery?

Page 227

1 A. December 11th.

2 Q. Oh, okay. So a month before?

3 A. (Witness nods head

4 affirmatively.)

5 Q. More than a month before this

6 incident?

7 A. Yeah, four weeks.

8 Q. So she still -- she wasn't

9 bedridden on January the 16 of 2015?

10 A. She -- to a certain extent.

11 Q. But she was able to come to the

12 school when you had a seizure at the soccer

13 field?

14 A. Yes.

15 Q. Is that correct? When you got

16 back home, did she get back in the bed?

17 A. Yes.

18 Q. But before you left with [REDACTED]

19 and [REDACTED], you told your mom you were going to

20 the concert?

21 A. Yes.

22 Q. What did he say?

23 A. She just told me to be careful

Page 228

1 and stick together.

2 Q. Prior to that incident that day

3 at the soccer field on January the 16th, the

4 seizure you had prior to that was in the fall

5 of 2014?

6 A. Yes.

7 Q. I'm sorry. Yeah, '14.

8 Have you been treated by a

9 psychologist or a psychiatrist or a counselor

10 since January 16, 2015?

11 A. No.

12 Q. Have you ever been treated by a

13 psychologist or a psychiatrist?

14 A. Yes.

15 Q. How old were you when that

16 occurred?

17 A. 16.

18 Q. Before the concert?

19 A. Yes.

20 Q. Do you know -- was there any

21 particular event that led to you being --

22 seeking treatment? Was it a psychiatrist or a

23 psychologist?

Page 229

1 A. I don't remember.

2 Q. Whichever profession, do you

3 remember what led to your seeking treatment by

4 a mental health professional?

5 A. I don't remember.

6 Q. How many times were you treated

7 by a psychologist or a psychiatrist?

8 A. I have no clue.

9 Q. Do you know the name of the

10 person?

11 A. The psychiatrist?

12 Q. Yes.

13 A. There's so many doctors, I don't

14 know which one is which. Stephanie Huey.

15 MR. HARP: Are you guessing?

16 THE WITNESS: I have no idea.

17 MR. HARP: I don't want you to

18 guess.

19 Q. Do you know if Stephanie Huey is

20 a psychiatrist or a psychologist?

21 A. I know she's a psychiatrist,

22 because she sees you.

23 Q. Can she prescribe medication?

Page 230

1 Do you know?

2 A. Oh, I don't know. She's never

3 prescribed me any medication.

4 Q. Did Stephanie Huey ever refer

5 you to another physician for any reason?

6 A. She referred us to Dr. Kelly.

7 Q. That's your general

8 practitioner?

9 A. Yes.

10 Q. Did Dr. Kelly ever refer you to

11 another doctor, say you need to go see this

12 specialist or another doctor?

13 A. Yes.

14 Q. Who did he refer you to?

15 A. I think he referred us to -- no,

16 he didn't. That's the last one we have been

17 stuck with. Not stuck with, but that's our

18 last one that we like. He's cool.

19 Q. How many hospitals have you been

20 in in your life?

21 MR. HARP: Object to the form.

22 Q. Not in your life. Since you

23 have been 14 years old, how many hospitals

Page 231

1 have you been treated at?

2 A. Three.

3 Q. Which ones?

4 A. Children's.

5 Q. Okay.

6 A. Gadsden Regional.

7 Q. Okay.

8 A. I think there is only two.

9 Q. Okay. Children's, was that one

10 occasion?

11 A. (Witness nods head

12 affirmatively.)

13 Q. When you were transferred by

14 ambulance there?

15 A. Yes.

16 Q. And then Gadsden Regional? How

17 many times have you been to Gadsden Regional?

18 A. Two -- two. I mean, I have been

19 there when I was sick, like when I was

20 younger. But two.

21 Q. Have you ever been terminated

22 from a job?

23 A. No.

Page 232

1 Q. You mentioned that -- correct me

2 if I'm wrong. The day of the concert you were

3 actually employed at Jack's?

4 A. Yes.

5 Q. In Alabama City?

6 A. Yes.

7 Q. All right. And then when you

8 called -- at what point in time did you call

9 your manager or boss and tell her you were not

10 going to be working Saturday?

11 A. That morning. She actually

12 called me. By the time I had gotten settled

13 in, it was like early in the morning time.

14 Q. You were supposed to have

15 arrived at work at Jack's that morning?

16 A. Yes.

17 Q. Did you get terminated?

18 A. No.

19 Q. Did you ever attempt to go back

20 and work at Jack's?

21 A. No.

22 Q. Why not?

23 A. Just because I didn't.

Page 233

1 Q. How much time passed between  
2 working at Jack's and -- your next job was  
3 Lil' Pruett's?  
4 A. Next job was Sonic.  
5 Q. I'm so sorry.  
6 A. That's fine.  
7 Q. In Albertville?  
8 A. Yes.  
9 Q. Is there only one Sonic in  
10 Albertville, or are there two?  
11 MR. HARP: If you know.  
12 A. I don't know.  
13 Q. How much time passed between  
14 your last day working at Jack's and your first  
15 day working for Sonic in Albertville?  
16 A. Like a year, year and five  
17 months.  
18 Q. Why did you leave the job at  
19 Sonic?  
20 MR. HARP: Object to the form.  
21 A. Oh, I had -- I had like a panic  
22 attack at work.  
23 Q. Okay.

Page 234

1 A. Yeah.  
2 Q. Do you know what brought on the  
3 panic attack at work while you were at Sonic?  
4 A. It was the first day they were  
5 going to let me carhop, and I don't know what  
6 happened. But I just tried -- I just walked  
7 outside -- something just happened, and I just  
8 started crying. I asked her if I could go on  
9 break, and I just broke down.  
10 Q. Did anybody call a doctor or an  
11 ambulance?  
12 A. No.  
13 Q. Did you go home?  
14 A. Yes.  
15 Q. Did you just not come -- did you  
16 tell them you quit?  
17 A. Yes.  
18 Q. How long had you worked at  
19 Sonic?  
20 A. A month.  
21 Q. So you told them you're quitting  
22 -- didn't want to work there anymore, correct?  
23 A. Yes.

Page 235

1 Q. When did you start working at  
2 Lil' Pruett's?  
3 A. Maybe a month ago.  
4 Q. All right. You said that. You  
5 are still working there?  
6 A. Yes.  
7 Q. What do you do at Lil' Pruett's?  
8 A. I serve. I cook. Anything that  
9 they need help with.  
10 Q. So you actually serve as a  
11 waitress as well as cook sometimes?  
12 A. Yes. I mostly stay in the  
13 kitchen.  
14 Q. Do you like that job?  
15 A. Yes.  
16 Q. Had any problems there?  
17 A. None.  
18 Q. No panic attacks?  
19 A. No.  
20 Q. Have you had a panic attack  
21 since the one you had at Sonic?  
22 A. One.  
23 Q. Do you recall the circumstances

Page 236

1 surrounding that panic attack?  
2 A. Excuse me. It was when my car  
3 broke down and I had no way to work -- well, I  
4 did, but it was just my car, my car breaking  
5 down.  
6 Q. When was that?  
7 A. Like maybe -- like right before  
8 I got the Lil' Pruett's job.  
9 Q. Do you have your own car today?  
10 A. No. It's still broke down.  
11 Q. Where were you when you had the  
12 panic attack?  
13 A. Which one?  
14 Q. The one when your car broke  
15 down.  
16 A. I was in Gadsden. I was right  
17 down the road.  
18 Q. Did anybody come to assist you?  
19 A. No. I just needed to sit down  
20 and breathe for a second.  
21 Q. Did you ever determine what was  
22 wrong with your car?  
23 A. Yes. My serpentine belt.

Page 237

1 Q. When you went that night -- left  
2 from the hospital and went to your friend's  
3 house -- have I already asked you what his  
4 name was?  
5 A. [REDACTED]  
6 Q. [REDACTED], okay. Do you know  
7 where [REDACTED] works?  
8 A. Yeah, he died.  
9 Q. When you were at Mr. Dan Fells  
10 house, who was there besides you and Mr. Fells  
11 and his daughter; is that correct?  
12 A. It was -- it was [REDACTED] and me and  
13 her dad.  
14 Q. Dan is [REDACTED]'s dad?  
15 A. Dan is [REDACTED]'s dad, yes.  
16 Q. How did he pass away?  
17 A. He committed suicide.  
18 Q. I'm sorry to hear that.  
19 Okay. And you said [REDACTED] took  
20 pictures of you that night. How many pictures  
21 did he take?  
22 A. I'm not sure exactly how many  
23 but -- I'm not sure.

Page 238

1 Q. Did you have any marks on your  
2 body other than -- you said you had marks  
3 related to the taser, correct?  
4 A. Yes.  
5 Q. How many marks on your body  
6 related to the taser?  
7 A. I had some on my neck, I had  
8 some on my wrist.  
9 MR. HARP: Listen to his  
10 question.  
11 THE WITNESS: What did he say?  
12 Q. How many marks related to the  
13 taser were on your body?  
14 A. Three.  
15 Q. Three dots?  
16 A. No, six.  
17 MR. HARP: Object to the form.  
18 A. It was six dots; two of each.  
19 Q. How many pictures of those dots  
20 were taken?  
21 A. I think two.  
22 Q. Have you given those to your  
23 attorney?

Page 239

1 A. Yes.  
2 Q. How many other pictures were  
3 taken?  
4 A. I don't know exactly how many.  
5 Q. What did she use to take  
6 pictures, her phone?  
7 A. Yes, I think so.  
8 Q. All right. And when was the  
9 last time you have had contact with [REDACTED]?  
10 A. A week ago.  
11 Q. So you're still maintaining  
12 contact with her?  
13 A. Yes.  
14 Q. Do you have any idea if she  
15 still has that same phone?  
16 A. No. She has a different phone.  
17 Q. Do you have any idea what  
18 happened to her old phone?  
19 A. Probably broke but she -- she  
20 probably has an SD card or something with  
21 those pictures on it.  
22 Q. Do you know if she has told you  
23 she maintained the card out of the phone?

Page 240

1 A. I don't know. I just know that  
2 she saves her stuff.  
3 Q. Did you have any conversation  
4 with her dad that night about what happened at  
5 the concert?  
6 A. No.  
7 Q. And did [REDACTED] -- I'm sorry I'm  
8 being repetitive. Did [REDACTED] witness the  
9 incident?  
10 A. Yes.  
11 Q. Have you had any -- have you had  
12 ongoing conversations with [REDACTED], if any at  
13 all, regarding what happened?  
14 MR. HARP: Object to the form.  
15 A. No.  
16 Q. Have you ever spoken to [REDACTED] in  
17 detail about what happened that night?  
18 A. No.  
19 Q. And you said you haven't spoken  
20 to your sister [REDACTED] about the events that  
21 happened that night?  
22 A. No.  
23 Q. As we sit here today in June

Page 241

1 2016, you wouldn't know what [REDACTED] would  
 2 have to say about the incident?  
 3 A. Besides what happened, no, sir.  
 4 Q. I mean, have you discussed it  
 5 with her, gotten her version of what happened?  
 6 A. No. Whatever she knows, that's  
 7 her -- I don't --  
 8 Q. You don't know what -- she  
 9 hasn't told you what she saw?  
 10 A. Yeah, yeah, exactly.  
 11 Q. Has [REDACTED] told you what she saw  
 12 or heard?  
 13 A. No.  
 14 Q. Is that no?  
 15 A. No.  
 16 Q. A couple of personal questions.  
 17 I'm not trying to offend you in any way.  
 18 Are you in a relationship with  
 19 anybody right now?  
 20 A. No.  
 21 Q. With a significant other?  
 22 A. No.  
 23 Q. Were you at the time of the

Page 242

1 concert?  
 2 A. No.  
 3 Q. Did this incident at the concert  
 4 disrupt any relationship you had or planned to  
 5 have with a significant other?  
 6 MR. HARP: Object to the form.  
 7 A. No, no.  
 8 Q. Since January the 16th, 2015,  
 9 have you lived with anyone else, even for a  
 10 day, besides your mom and your sisters?  
 11 MR. HARP: Object to the form.  
 12 How do you live with someone just for a day?  
 13 MR. STUBBS: Good objection.  
 14 Let me rephrase that.  
 15 Q. Since January 16, 2015, have you  
 16 ever moved into another residence with someone  
 17 with the intent to stay there other than your  
 18 mom and your sisters?  
 19 A. No.  
 20 Q. It seemed like -- you seemed to  
 21 hesitate with that. Are you sure about that?  
 22 MR. HARP: Object to the form.  
 23 Q. You can answer.

Page 243

1 A. Well, when I was supposed to  
 2 move in with that roommate, we was supposed to  
 3 move into an apartment, but we was in -- I  
 4 went and stayed with her, but I didn't go stay  
 5 with her to move in with her. We was getting  
 6 our own place.  
 7 Q. I'm sorry. How long did you  
 8 stay with that friend?  
 9 A. A week. But it was back to  
 10 back, like I was back and forth to my mom's  
 11 house.  
 12 MR. STUBBS: I think that's all  
 13 I have. I appreciate it. I know Allison  
 14 probably has a few follow-ups.  
 15 MR. HARP: We are going to take  
 16 a break. I have a feeling she is going to be  
 17 there for a second.  
 18 (Whereupon, a brief recess was  
 19 taken.)  
 20  
 21 EXAMINATION  
 22 BY MS. CHANDLER:  
 23 Q. TDH, my name is Allison

Page 244

1 Chandler, and I represent Defendant Justin  
 2 Gilliland in this case. And Mr. Howard and  
 3 Mr. Stubbs have been very thorough with you,  
 4 so I don't have too many questions for you,  
 5 but I do just have a couple things that I want  
 6 to follow up on. Okay?  
 7 A. (Witness nods head  
 8 affirmatively.)  
 9 MR. HARP: Is that yes?  
 10 THE WITNESS: Yes.  
 11 Q. Do you have any -- other than  
 12 your mother and your siblings that you have  
 13 already told us about and any of their  
 14 children, do you have any relatives who are 18  
 15 or older who live in north Alabama? And by  
 16 north Alabama, I mean north of Birmingham?  
 17 A. No.  
 18 Q. You told us earlier about --  
 19 obviously, we talked at length about your  
 20 seizures, and you also testified regarding  
 21 your migraines that you sometimes have.  
 22 Did you have any -- besides  
 23 those two issues, did you have any significant

<p style="text-align: right;">Page 245</p> <p>1 physical health problems prior to the incident 2 on January 16th, 2015? 3 A. Can you repeat just the 4 beginning of that? 5 Q. Yeah. Other than your seizures 6 and your migraines, did you have any 7 significant physical health problems prior to 8 the incident on January 16th, 2015? 9 A. No. 10 Q. You have already told us about 11 the photographs that [REDACTED] took while you were 12 at her house. 13 Other than those photographs, do 14 you have any other photographs relating to 15 this case in any way? 16 A. No. 17 Q. Do you have any video relating 18 to this case in any way? 19 A. No. 20 Q. Have you reviewed any video 21 depicting the event that took place on January 22 16th, 2015? 23 A. Like what do you mean? Anything</p>	<p style="text-align: right;">Page 247</p> <p>1 A. No, no. Yeah, I -- no, no. 2 Q. What did that video depict or 3 show? 4 A. It was just pretty much telling 5 about what happened and -- pretty much that's 6 it. 7 Q. Was it taken with a cell phone 8 as far as you could tell? 9 A. I'm not sure. 10 Q. Do you know -- since you said 11 I'm sorry -- was her name [REDACTED] or [REDACTED]? 12 A. Either one. I don't know her. 13 I just know her name on Facebook. 14 Q. You don't know her? 15 A. No. 16 Q. Do you know how Kirstin obtained 17 that video? 18 A. It was her. It was a video of 19 her. 20 Q. It was a video of her? 21 A. Yeah. 22 Q. Okay. Did it depict any of the 23 events that took place at Center Stages on</p>
<p style="text-align: right;">Page 246</p> <p>1 to do with it? 2 Q. Anything to do with it, any 3 video depicting any events connected with this 4 lawsuit? 5 A. Yes. 6 Q. What video have you reviewed? 7 A. It was one on Facebook. It was 8 just a girl talking about it, talking about 9 the concert. But that was around the time 10 that it happened. 11 Q. You viewed the video -- it was 12 posted on Facebook? 13 A. Yeah, I think, or YouTube. It 14 was Kirsten Phillips. 15 Q. Was she present at the concert? 16 A. I don't think so. 17 Q. The video was either on Facebook 18 or YouTube? 19 A. Yeah. I think it was on 20 Facebook, and it ended up getting taken off or 21 something. 22 Q. You don't think it's -- it's not 23 on Facebook anymore?</p>	<p style="text-align: right;">Page 248</p> <p>1 January 16th? 2 A. Yeah, like she was speaking on 3 it, speaking on what happened. 4 Q. Was the video just of her 5 talking about what happened? 6 A. Yes, yes. 7 Q. Did it actually show any events 8 took place there that night? 9 A. No, no. 10 Q. Okay. What was -- what did she 11 say in the video? 12 A. She -- I don't think she was 13 there. Just the way she was coming at it was 14 just like talking about it. And she is like 15 Facebook famous, I guess. I'm sure she was 16 just -- I don't know. She was just pretty 17 much talking about what like happened and she 18 was just wanting people to say like what was 19 -- because she was not there obviously or 20 something. I'm not sure. 21 Q. When did you review that video? 22 A. Not too long after that concert. 23 Q. Was it a month after the</p>

Page 249

1 concert?

2 A. Something like that.

3 Q. Within a month after the

4 concert?

5 A. Yes.

6 Q. Have you ever met ~~her~~ in

7 real life?

8 A. No, no.

9 Q. Did ~~she~~ contact you through

10 some platform on Facebook?

11 A. For -- like for any reason at

12 all?

13 Q. Yeah. How did you first

14 become -- I guess were you Facebook friends

15 with her?

16 A. Yes.

17 Q. Did she ask to be your friend?

18 A. Yes. It was before the concert.

19 Q. Before the concert?

20 A. Yeah, I have been friends -- she

21 has got a huge page.

22 Q. Where does she live, if you

23 know?

Page 250

1 A. I don't even know this girl,

2 really.

3 Q. Do you know if she lives in

4 north Alabama somewhere?

5 A. I know she lives in Gadsden, I'm

6 guess.

7 Q. She is somewhere local. She is

8 not outside the state that you know?

9 A. No, no, I don't think so.

10 Q. Did she contact you via Facebook

11 after the concert?

12 A. Yes.

13 Q. How did she contact you?

14 A. She was asking me if I was okay

15 -- oh, through message, Facebook message. But

16 she was asking me if I was okay. And she was

17 asking what else all happened. She had heard

18 so much about it, and she was just pretty much

19 asking me what happened about it.

20 Q. Did you tell her you had been at

21 the concert?

22 A. No. I actually never replied to

23 her. I actually blocked her. There were so

Page 251

1 many Facebook posts about it.

2 MR. HARP: Just wait for a

3 question, okay?

4 Q. After the concert did she

5 contact you in any other way on Facebook other

6 than a message? For example, did he write on

7 your wall?

8 A. No.

9 Q. On your profile?

10 A. No.

11 Q. So after she messaged you, did

12 you have any contact with her through

13 Facebook?

14 A. No.

15 Q. Did you tell her anything about

16 what happened to you at the concert?

17 A. No.

18 Q. You didn't give her an account

19 of what happened to you at the concert?

20 A. No.

21 Q. Have you given an interview to

22 anyone -- I'm not wanting to know anything

23 about what you have discussed with these two

Page 252

1 attorneys or any other attorney that you have

2 talked with, okay? But have you given an

3 interview to anyone about the events that

4 occurred to you at the concert?

5 A. I don't recall.

6 Q. Have you ever given a statement

7 to anyone, other than your attorneys, about

8 what happened to you at this concert?

9 A. No.

10 Q. And that includes written

11 statements. Have you ever given a written

12 statement?

13 A. No.

14 Q. Any written statements including

15 have you ever posted about the events at the

16 concert on January 16th, 2015, on any social

17 media platform?

18 A. No.

19 (Whereupon, Defendant's Exhibit

20 1 was marked for identification and the same

21 is attached hereto.)

22 Q. All right. I'm going to show

23 you and your attorney a document that is going

Page 253

1 to be marked as Defendant's Exhibit I.

2 And for the record, we'll just  
3 identify this as a screen shot of [REDACTED]  
4 [REDACTED]'s Facebook page.

5 MR. HARP: I'm going to object  
6 to the introduction of Defendant's Exhibit I  
7 to the extent that this is used as part of the  
8 defense of Mr. Gilliland or any other  
9 defendant in this case because this has not  
10 been produced to us as part of the initial  
11 disclosures as required by the rules.

12 Q. I'm going to ask you to look at  
13 those two pages and then let me know when you  
14 have finished doing that.

15 MR. HARP: While she is looking  
16 at it, let me also add an objection to the  
17 unauthenticated nature of the post.

18 A. Okay.

19 Q. That's for you to look at right  
20 now.

21 Can you turn to page 2 of that  
22 document?

23 Do you see about the middle of

Page 254

1 the page where it says that here is what  
2 happened from TDH herself?

3 A. (Witness nods head  
4 affirmatively.)

5 MR. HARP: You have to answer  
6 out.

7 A. Yes.

8 MS. CHANDLER: Yeah. Thank you.

9 Q. Do you still maintain that you  
10 did not give any account of what happened to  
11 you at Center Stages on January 16th, 2015, to  
12 [REDACTED]?

13 A. I don't remember telling her  
14 this, but -- because I never talked to the  
15 girl but -- I mean, I don't know.

16 MR. HARP: If that's your  
17 answer, that's your answer.

18 THE WITNESS: Yes.

19 Q. Do you recognize any of the  
20 account that's given in the quotation marks  
21 below that statement?

22 MR. HARP: Object to the form.

23 Q. No. I'm sorry. After the

Page 255

1 statement: Here is what happened from TDH  
2 herself, and then there is a long block of  
3 text that is in quotation marks. Do you see  
4 that?

5 A. Yes.

6 Q. Did you recognize any of that  
7 account that is given in those quotation  
8 marks?

9 A. Yes.

10 MR. HARP: Wait. What are you  
11 saying yes to?

12 THE WITNESS: Like I know what  
13 it says.

14 MR. HARP: Okay.

15 Q. You're saying yes, that you know  
16 what it says as we sit here today?

17 A. Yes.

18 Q. Did you ever give this account  
19 to anyone?

20 A. I guess I gave it to [REDACTED].

21 MR. HARP: I don't want you to  
22 guess.

23 THE WITNESS: I don't remember

Page 256

1 this, though.

2 Q. And I just want to know what you  
3 do know. If you don't know, that's fine. But  
4 have you ever seen this account that's  
5 included in --

6 A. I have never seen this post  
7 right here ever, if that's what you're saying.

8 Q. Okay. Have you ever seen --  
9 other than in this post, have you ever seen  
10 this account that's in those quotation marks  
11 on the second page? Have you ever seen that  
12 before in any other form?

13 A. I don't get what you're saying.  
14 The account, what does that mean?

15 Q. Okay. Did you tell this story  
16 that's listed on this page to anyone?

17 A. No.

18 Q. Did any of the officers present  
19 while you were being restrained ask you what  
20 drugs you have done?

21 A. Yes.

22 Q. That was one of the things that  
23 they said to you while --

Page 257

1 A. Yes, they were asking me if I  
2 did any drugs.  
3 Q. Did you respond to that?  
4 A. Yes.  
5 Q. What did you say?  
6 A. No.  
7 Q. Did they say anything after that  
8 in response to your response?  
9 A. They were calling me a liar  
10 but --  
11 Q. They called you a liar?  
12 A. Yes.  
13 Q. Did they say anything else to  
14 you regarding taking drugs?  
15 MR. HARP: Did you understand  
16 the question? I need you to focus on her,  
17 okay?  
18 THE WITNESS: She is using big  
19 words.  
20 Q. I'm sorry. So they asked you  
21 did you do any drugs or something to that  
22 effect, correct?  
23 A. Yes.

Page 258

1 Q. And you said no?  
2 A. Yes.  
3 Q. Correct? And then they called  
4 you a liar?  
5 A. (Witness nods head  
6 affirmatively.)  
7 Q. Was there any other exchange  
8 between you and the officers present regarding  
9 taking drugs after that?  
10 A. No.  
11 Q. Were any of the officers who  
12 restrained you wearing glasses?  
13 A. I don't think so. I don't  
14 remember.  
15 Q. So other than the video that you  
16 spoke of where ~~XXXXXXXXXX~~ was talking  
17 about the incident at Center Stages, other  
18 than that, have you viewed any video related  
19 to what happened on January 16th, 2015?  
20 A. No.  
21 Q. After January 16, 2015, have  
22 spoken to Detective Gilliland since then?  
23 A. No.

Page 259

1 Q. Are you aware if anyone other  
2 than your attorney or anyone working for your  
3 attorneys has contacted the Rainbow City or  
4 the Rainbow City police department regarding  
5 this incident?  
6 MR. HARP: Object to the form.  
7 A. No. I'm sorry. I was confused  
8 on what you were asking me.  
9 Q. That's okay. Let me rephrase  
10 it.  
11 Other than your attorneys, has  
12 anyone that you know of contacted Rainbow City  
13 or the Rainbow City police department  
14 regarding this incident?  
15 A. No.  
16 Q. We have talked a lot about your  
17 medical providers. And I'm going to try not  
18 to rehash any of that. I say try, though.  
19 Have you told us about all the  
20 medical providers that you can recall that you  
21 visited prior to the incident about seizures?  
22 A. Yes.  
23 Q. Going to after this incident

Page 260

1 happened, what all medical providers have you  
2 seen regarding any injuries that you allege  
3 that you sustained as a result of this  
4 incident?  
5 A. Dr. Russell.  
6 Q. Any others?  
7 A. No.  
8 Q. And Dr. Russell was your  
9 neurologist?  
10 A. Yes.  
11 Q. Did you see any medical provider  
12 for any injuries relating to being tased?  
13 A. Dr. Kelly.  
14 Q. Okay. Anyone else?  
15 A. No.  
16 Q. You testified earlier about how  
17 you went back to school after this incident  
18 but just for a day, and then I believe your  
19 testimony was that the other kids at school  
20 were making it out to be a drug trip or that  
21 the cops were making it out to be a drug trip?  
22 A. Yes.  
23 Q. What did you mean by that?

Page 261

1 A. Like -- like what they did was  
2 -- like I was acting -- obviously, like I was  
3 having a drug overdose or something.  
4 Actually, that's exactly what their words was  
5 to me. But that's their thing, was I was  
6 acting like that because of drugs. So  
7 everybody was thinking, I guess, all that over  
8 drugs, and it was not over drugs.

9 Q. Whose words, the police  
10 officers' words or the kids at school word?

11 A. The police officers' words.  
12 That's why they told me they had me pinned on  
13 the ground.

14 Q. They told you that they had you  
15 pinned on the ground because they thought you  
16 were on drugs?

17 A. Yes. They did not pee test me.  
18 They did not blood test me. They did not do  
19 nothing.

20 MR. HARP: Just answer her  
21 questions, TDH. Don't get upset, okay? Just  
22 slow down and answer the questions.

23 Q. Did they ask you if you were on

Page 262

1 -- strike that.

2 Did they ask you if you were on  
3 drugs while you were being restrained, or did  
4 they specifically tell you we are holding you  
5 down or we are restraining you because we  
6 think that you're on drugs?

7 A. Well, I woke up to it happening.  
8 So I'm asking what's going on, what's going  
9 on, what's going on. They are sitting there  
10 saying are you on drugs, are you on drugs? I'm  
11 saying no, I'm not on drugs. Why are y'all  
12 pinning me down? We need to see what's really  
13 going on. Well, they could -- so.

14 Q. Did they say anything else to  
15 you about being on drugs?

16 A. No.

17 Q. Have you spoken with your sister  
18 Nicci regarding what happened to you at Center  
19 Stages?

20 A. No.

21 Q. Have you spoken with your  
22 brother Aaron about what happened to you at  
23 Center Stages?

Page 263

1 A. No.

2 Q. So the only two medical  
3 providers that you have seen for any reason  
4 connected with any injuries that you have  
5 suffered related to this incident were  
6 Dr. Russell and Dr. Kelly?

7 A. Yes.

8 (Whereupon, a discussion was  
9 held off the record.)

10 Q. You testified earlier regarding  
11 a guy wearing a plaid shirt named Jessie. Do  
12 you recall that?

13 A. I don't know. I mean -- I think  
14 his name is Jessie. I don't know him.

15 Q. Do you know if he works for  
16 Center Stages.

17 A. He said something along those  
18 lines, so yeah.

19 Q. What else did he say to you, if  
20 anything?

21 A. That he just -- basically that  
22 was it.

23 Q. And he was holding your head or

Page 264

1 near your head at the time you were being  
2 restrained?

3 MR. HARP: Object to the form.

4 A. No, not at the time. No, he was  
5 not.

6 Q. Was he holding your head at any  
7 point?

8 A. Yes.

9 Q. When was he holding your head?

10 A. When he was trying to put gauze  
11 in my mouth.

12 Q. Were you restrained at that time  
13 by the --

14 A. I was pinned down by all the  
15 officers still.

16 Q. By the officers?

17 A. Yes.

18 Q. You also mentioned that  
19 Detective Gilliland was near your head or neck  
20 at some point; is that correct?

21 A. He was like the first -- he was  
22 there at the beginning.

23 Q. Was it that Detective Gilliland

Page 265

1 was near your head and then this guy in the  
 2 plaid shirt came and took his place? Is that  
 3 how it happened?

4 MR. HARP: Object to the form.

5 A. No. I remember Officer  
 6 Gilliland. Actually, no, he never restrained  
 7 my head. He had me in a choke hold. The cop  
 8 is the one that had me in the choke hold. The  
 9 dude -- he was the one that was trying to put  
 10 gauze in my mouth.

11 Q. But there was some point where  
 12 they were there together?

13 A. Together, yes. When that dude  
 14 couldn't get the gauze in my mouth, Officer  
 15 Gilliland grabbed my jaw and pinched it and  
 16 tried to open my mouth. It didn't open.

17 Q. At some point did Detective  
 18 Gilliland leave, and then the guy in the plaid  
 19 shirt was the only person near your head?

20 MR. HARP: Object to the form.

21 A. Yes.

22 Q. Do you recall what was going on  
 23 with your body when that occurred?

Page 266

1 A. No, I don't remember.

2 Q. Was that before you were tased?

3 A. The -- he -- he had me in a  
 4 choke hold -- I don't remember. I just don't.

5 MR. HARP: Do you need to take  
 6 another break?

7 THE WITNESS: No. I'm fine.

8 It's just so much at one time, the same  
 9 question over and over again.

10 MR. HARP: If you need to take a  
 11 break, let's take a break.

12 THE WITNESS: No. I'm fine.

13 MR. HARP: Let's go forward a  
 14 little bit more.

15 Q. (By Ms. Chandler) Just to be  
 16 clear, you do not recall whether or not  
 17 Officer Gilliland was either near your head or  
 18 holding you in a choke hold --

19 A. No, he was there.

20 Q. At the time you were being  
 21 tased?

22 A. When I woke up, he was there  
 23 right when I woke up. He was the one that put

Page 267

1 me in the choke hold when they tased me.

2 Jessie was the one who was trying to put gauze  
 3 in my mouth.

4 Q. As I understand your testimony,  
 5 Detective Gilliland was holding you in what  
 6 you are calling a choke hold at the time you  
 7 were being tased?

8 A. Yes, he's the one that swept me  
 9 up in the choke hold.

10 Q. I believe you testified earlier  
 11 that you woke up -- after you were tased you  
 12 woke up on the gurney; is that right?

13 A. Yeah.

14 Q. And you were restrained on the  
 15 gurney?

16 A. Yes.

17 Q. And you had the gauze on your  
 18 mouth?

19 A. Yes.

20 Q. How was the gauze -- was the  
 21 gauze in your mouth?

22 A. It was in my mouth and out of my  
 23 mouth. It was taped, so it was taped so the

Page 268

1 gauze was over my mouth.

2 Q. When was the gauze and tape  
 3 removed from your mouth?

4 A. Removed?

5 Q. Removed.

6 A. I think when the paramedics were  
 7 in the hospital.

8 MR. HARP: Do you know?

9 THE WITNESS: I'm pretty sure it  
 10 was the hospital.

11 Q. How was it that you were able to  
 12 talk to some of the -- what we are going to  
 13 call civilians, non officers present, with the  
 14 gauze in your mouth while you were still at  
 15 Center Stages?

16 A. When did I testify that I spoke  
 17 to them?

18 Q. When you talked about the two --  
 19 there were two guys -- you testified --

20 A. Talking about when they wanted  
 21 me in the movie?

22 Q. Yeah.

23 A. It isn't like I turned around

Page 269

1 and said what did you say? It was kind of  
2 like a -- what I was trying to make it out, is  
3 what the words would have been. So like a  
4 huh, something like that probably.

5 Q. Are you seeking reimbursement  
6 for any of your costs related to your visits  
7 to any doctors or other medical providers as a  
8 result of this lawsuit?

9 MR. HARP: Object to the form.

10 A. I don't know what  
11 reimbursement means.

12 Q. Do you think that you need to be  
13 paid back for the times that you had to go to  
14 the doctor after this incident happened?

15 MR. HARP: Object to the form.

16 This lawsuit is brought by her mother and on  
17 behalf of her mother. Those questions are  
18 more properly suited for her mother. You can  
19 answer, if you know.

20 A. That's not my intention. But  
21 it's not my place to say either.

22 Q. Prior to -- prior to this  
23 incident in 2015 -- so in early 2015 and 2014,

Page 270

1 what was your relationship like with your  
2 mother?

3 MR. HARP: Object to the form.

4 A. When?

5 Q. What was your relationship like  
6 with your mother?

7 A. When?

8 Q. Between 2012 and before this  
9 incident in 2015?

10 A. Same as it is now.

11 Q. Is that what you would consider  
12 a good relationship?

13 A. Yes.

14 Q. Do you argue with your mother?

15 A. Yes.

16 Q. What kinds of things do you  
17 argue about?

18 A. Not wanting to do the dishes.  
19 She doesn't let me borrow her car. I get mad.  
20 We argue -- I don't want to clean my room.  
21 Stuff like that.

22 Q. Is it anything that you would  
23 consider beyond a normal teenager and teenage

Page 271

1 daughter and her mother arguing?

2 MR. HARP: Object to the form.

3 A. No.

4 Q. I know Mr. Howard has earlier  
5 asked you about some individuals that may or  
6 may not have information regarding this  
7 lawsuit. And I just have a few follow-up  
8 questions about those.

9 You testified that -- and I'm  
10 sorry if I mispronounce his name. Jaymon  
11 Palmer?

12 A. Jaymon?

13 Q. Jaymon. Was he present that  
14 night?

15 A. He got my mom out of jail.

16 Q. Do you know if he was present at  
17 the concert or during this incident?

18 A. I don't know. I don't remember  
19 seeing him.

20 Q. Do you know where he resides?

21 A. Lives?

22 Q. Yeah, where he lives.

23 A. North Gadsden, I think.

Page 272

1 Q. Do you know -- okay. Do you  
2 know the address of your friend [REDACTED]?

3 A. No.

4 Q. Do you know her telephone  
5 number?

6 A. Not her current one.

7 Q. Do you think that her number has  
8 changed since you were more in contact with  
9 her?

10 A. Yes.

11 Q. We talked earlier or you talked  
12 with Mr. Howard earlier about your little  
13 sister's friends. And I'm not remembering her  
14 to say her name.

15 A. [REDACTED]

16 Q. [REDACTED]?

17 A. Yeah.

18 Q. Do you know where she lives?

19 A. No.

20 Q. Do you know her phone number?

21 A. No.

22 Q. For either [REDACTED] or [REDACTED]  
23 [REDACTED], even if you don't know their telephone

Page 273

1 numbers, have them memorized, do you have  
 2 access to them or do you have them saved in  
 3 your phone?  
 4 A. No.  
 5 Q. What about [REDACTED]? Do  
 6 you know where he lives?  
 7 A. No.  
 8 Q. Do you have his telephone  
 9 number?  
 10 A. No.  
 11 Q. Who is JoAnn Malcomb?  
 12 A. I have no idea.  
 13 Q. You wouldn't know what  
 14 information, if any, she has regarding the  
 15 allegations in this lawsuit?  
 16 A. No.  
 17 Q. About anything that happened?  
 18 A. No.  
 19 Q. Okay. Who is [REDACTED]?  
 20 A. One of my sister's little  
 21 friends.  
 22 Q. Would that be one of [REDACTED]'s  
 23 friends?

Page 274

1 A. Yes.  
 2 Q. Was she present at the concert  
 3 that night?  
 4 A. I think she was. I'm not sure.  
 5 Q. Do you know if she witnessed any  
 6 of the events of the incident as it relates to  
 7 you?  
 8 A. I have no idea if she was there  
 9 or not.  
 10 Q. Who is Nicole Smith? That's not  
 11 your sister, is it?  
 12 A. No. She had her -- no. I'm  
 13 sorry.  
 14 Q. Do you know who Nicole Smith is?  
 15 A. No.  
 16 Q. Do you know if she was at the  
 17 concert that night?  
 18 A. I don't know who that is.  
 19 Q. What is Quality of Life? Is  
 20 that a doctor's office?  
 21 A. Yes, I'm pretty sure.  
 22 Q. Do you remember why you went to  
 23 Quality of Life?

Page 275

1 A. I don't remember going.  
 2 Q. Do you remember who you saw  
 3 there?  
 4 MR. HARP: Object to the form.  
 5 A. No.  
 6 Q. You have not made any postings  
 7 or comments on any form of social media  
 8 regarding this incident?  
 9 A. Not that I can recall.  
 10 MS. CHANDLER: I don't have any  
 11 further questions.  
 12 MR. HOWARD: I just have a quick  
 13 follow-up, and I will be done. It is raised  
 14 by the extent that I didn't talk about  
 15 previous.  
 16 MR. HARP: But that's not our  
 17 fault. You passed your witness, and I haven't  
 18 cross-examined her, so I don't think --  
 19 MR. HOWARD: Okay. If that's  
 20 your stand, that's your stand. Although, I  
 21 don't know any rule that says I can't ask her,  
 22 but if you're instructing her not to answer --  
 23 MR. HARP: I'm not instructing

Page 276

1 her not to answer. I'm asking you not to ask  
 2 the question.  
 3 MR. HOWARD: Well, it's legit,  
 4 and it's something that I want to know. I  
 5 will keep it short.  
 6 MR. HARP: You know what? Go  
 7 ahead. Answer his questions, and then I will  
 8 have some questions for you. It's late in the  
 9 day.  
 10 MR. HOWARD: If you want to go  
 11 ahead, I will wait until after you are done.  
 12 I actually figured you weren't going to ask  
 13 any. That's why I blurted it out. But if you  
 14 are, please go ahead. I didn't mean to get in  
 15 front of you.  
 16 MR. HARP: That's okay. Go  
 17 ahead and ask your question.  
 18  
 19 EXAMINATION  
 20 BY MR. HOWARD:  
 21 Q. The [REDACTED] lady -- if  
 22 you look at this exhibit -- if looks like it,  
 23 anyway, that she posted something saying last

Page 277

1 night this concert, this -- all this stuff  
 2 happened?  
 3 A. (Witness nods head  
 4 affirmatively.)  
 5 Q. Do you have any idea how [REDACTED]  
 6 [REDACTED] came up with her information?  
 7 A. No.  
 8 Q. Do you have any memory of typing  
 9 out -- well, typing out on a keyboard or on a  
 10 phone this long statement that we looked at?  
 11 A. I don't remember.  
 12 MR. HOWARD: Okay. That's it.  
 13  
 14 EXAMINATION  
 15 BY MR. HARP:  
 16 Q. Let me just ask you a quick  
 17 question about Defendants' Exhibit 1.  
 18 In looking at Defendants'  
 19 Exhibit 1, do you see any type of date on this  
 20 posting or on this alleged posting?  
 21 A. No.  
 22 Q. Looking at Defendant's Exhibit  
 23 Number 1, do you see any user ID that

Page 278

1 indicates that you have visited [REDACTED]  
 2 [REDACTED] -- I assume this is a --  
 3 Let me you this: Do you know  
 4 what type of posting or social media platform  
 5 this posting was made to?  
 6 A. I'm guessing based on --  
 7 Q. I don't want you to guess. Do  
 8 you know?  
 9 A. Facebook.  
 10 Q. How do you know it is Facebook?  
 11 A. Because of the notifications  
 12 right there.  
 13 Q. Do you see your user name on  
 14 either page 1 or page 2 of Defendant's Exhibit  
 15 Number 1?  
 16 A. No.  
 17 Q. Do you have any idea who [REDACTED]  
 18 [REDACTED] is?  
 19 A. No.  
 20 Q. Do you have any recollection of  
 21 ever having a conversation with [REDACTED]  
 22 [REDACTED]?  
 23 A. No, sir.

Page 279

1 MR. HARP: That's all I have.  
 2 MR. HOWARD: That's it.  
 3 (Whereupon, the deposition  
 4 concluded at 3:54 p.m.)  
 5 (FURTHER DEPONENT SAID: NO)  
 6  
 7  
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Page 280

- CERTIFICATE  
 2  
 3 STATE OF ALABAMA )  
 4 ETOWAH COUNTY )  
 5  
 6 I hereby certify that the above  
 7 and foregoing proceeding was taken down by me  
 8 by stenographic means; and that content herein  
 9 was produced in transcript form by computer  
 10 aid under my supervision, and that the  
 11 foregoing represents, to the best of my  
 12 ability, a true and correct transcript of the  
 13 proceedings occurring on said date at said  
 14 time.  
 15 I further certify that I am  
 16 neither of counsel, nor of kin to the parties  
 17 to the action; nor am I in any way interested  
 18 in the result of said cause.  
 19  
 20 /s/ Elizabeth Law Lankford  
 21 Elizabeth Law Lankford, CCR  
 22 Court Reporter and Commissioner  
 23 ACCR#: 214, Expires: 9-30-2016  
 Commission Expires: 11-4-2017